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FILE NO. 45-88-24

ORDINANCE NO. 201-88

RO#7240

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ANTHONY ESPOSTO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $775,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ANTHONY ESPOSTO V. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 817 -757, by the payment of $775,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD J. EVANS
Director

FUNDS AVAILABLE:

JOHN FARRELL
Controller

01 001 97 09 90
309674 1450 $775,000.00
Funding subject to approval of
3884t Supplemental Request No. 115,
RO # 7247.

APR 20 1988

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 9, 1988	May 16, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Molinari Nelder Silver Walker	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Walker
Absent: Supervisors Hsieh Kennedy Maher Ward	Absent: Supervisors Gonzalez Maher Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-88-24

MAY 17 1988
Date Approved

Mayor

FILE NO. 46-88-4 ORDINANCE NO. 202-88

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF STEVEN BOLANDER V. WILLIS KIRK, RAYMOND CHOY AND CATHERINE POLLINATHUCAL, ALL INDIVIDUALLY AND DBA THE BROADWAY ARMS HOTEL, UPON RECEIPT OF THE SUM OF $30,000.00 AND AUTHORIZING DISMISSAL OF SAID LITIGATION AND REIMBURSEMENT OF NO MORE THAN ONE-HALF OF PLAINTIFF'S LITIGATION COSTS UP TO ONE-HALF OF $5,000.00 OR NO MORE THAN $2,500.00 UPON APPROPRIATE PROOF OF EXPENSE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 840596 entitled "STEVEN BOLANDER, Plaintiff vs. WILLIS KIRK, et al., Defendants" by acceptance of the sum of $30,000.00.

Section 2. Upon receipt of said sum of $30,000.00, the City Attorney is authorized to dismiss said complaint and to reimburse no more than one-half of plaintiff's litigation costs up to one-half of $5,000.00 or no more than $2,500.00 upon appropriate proof of expense.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By
FRANK P. AGNOST, JR.
Deputy City Attorney

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam LeVesque
PAN LEVESQUE
Executive Assistant to
General Manager

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 9, 1988	§	May 16, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Molinari Nelder Silver Walker	§	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Walker
Absent: Supervisors Hsieh Kennedy Maher Ward	§	Absent: Supervisors Gonzalez Maher Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
46-88-4

MAY 19 1988
Date Approved

Mayor

FILE NO. 49-88-2 ORDINANCE NO. 203-88

AUTHORIZING SETTLEMENT OF LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO AGAINST JOSEPHINE FRITZ AND AILEEN PORTMAN BY ACCEPTING CONSIDERATION AND DISCHARGING SAID JOSEPHINE FRITZ, AILEEN PORTMAN AND THE CONSERVATORSHIP ESTATE OF JOSEPHINE FRITZ FROM FURTHER OBLIGATION

Be it ordained by the people of the City and County of San Francisco:

Section 1. The Tax Collector Attorney is hereby authorized and directed to settle the controversy in San Francisco Superior Court No. 885818, entitled CITY AND COUNTY OF SAN FRANCISCO v. JOSEPHINE FRITZ, AILEEN PORTMAN, respective spouse and conservator of the person and estate of Emil Fritz, deceased, by accepting the total sum of $58,691.00, payable on the date this ordinance is enacted and presented to the conservator of the estate of said decedent.

Section 2. After payment of the amount specified in Section 1, the Tax Collector Attorney is further directed to file a dismissal in the previously referenced action entitled CITY AND COUNTY OF SAN FRANCISCO v. JOSEPHINE FRITZ, et al., and the Director of the Bureau of Delinquent Revenue is authorized and directed to file a satisfaction of the creditor claim previously filed on behalf of the City and County of San Francisco in the previously referenced estate on or about October 5, 1987.

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Section 3. It is expressly understood that any default in the payment of the amount described in Section 1 shall entitle the City and County of San Francisco to all rights afforded a creditor of the estate of Emil Fritz, including prosecuting the previously referenced civil action to trial in the civil courts.

Recommended by:

THAD BROWN
Tax Collector

Approved by:

MARY I. CALLANAN
Treasurer

Approved as to form:

LOUISE RENNE
City Attorney

By Ted Lakey
Ted Lakey
Deputy City Attorney

3310A

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 9, 1988	May 16, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Molinari Nelder Silver Walker	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Walker
Absent: Supervisors Hsieh Kennedy Maher Ward	Absent: Supervisors Gonzalez Maher Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 49-88-2

MAY 19 1988
Date Approved

Mayor

FILE NO. 82-88-6 ORDINANCE NO. 204-88

(Sale of Easement)

AUTHORIZING SALE OF A ½ FOOT WIDE BY 800 FOOT LONG EASEMENT OVER SAN ANDREAS PIPELINE NO. 3 RIGHT OF WAY LOCATED IN THE TOWN OF COLMA IN SAN MATEO COUNTY TO DON LUCAS DEALERSHIP GROUP FOR RETAINING WALL PURPOSES.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with Public Utilities Commission Resolution No. 88-0100, the Board of Supervisors hereby grants an easement for retaining wall purposes over a portion of parcel 16 of San Mateo County lands of the Water Department's San Andreas Pipeline No. 3 right of way.

Section 2. The subject property is shown shaded in red on drawing no. B-4468 dated January 8, 1988 marked as Exhibit "A", a copy of which is on file with the Clerk of the Board of Supervisors.

Section 3. The sale of said easement rights will not affect the Master Plan.

Section 4. Pursuant to Section 7.401 of the City Charter, the Director of Property has made an appraisal of the subject property and determined the market value of said easement to be $8,500. Donald L. Lucas has executed an "offer to purchase" agreement to acquire said easement for $8,500.

Section 5. The offer is hereby accepted, and the Mayor and the Clerk of the Board of Supervisors are authorized to execute, and the Director of Property will deliver, an easement deed conveying said property rights to Donald L. Lucas.

RECOMMENDED:

General Manager & Chief Engineer
San Francisco Water Department

General Manager
Public Utilities Commission
PUC Resolution No. 88-0100

RECOMMENDED:

Director of Property

APPROVED AS TO FORM:
LOUISE RENNE, City Attorney

By
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 9, 1988	May 16, 1988
Ayes: Supervisors Gonzalez Hongisto Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Walker
Absent: Supervisors Britt Hsieh	Absent: Supervisors Gonzalez Maher Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 82-88-6

MAY 19 1988
Date Approved

Mayor

FILE NO. 97-88-26 ORDINANCE NO. 205-88

[Special Fund)
AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.117-78 THERETO ESTABLISHING A BUILDING INSPECTION FUND FOR DEPOSIT OF FEES COLLECTED FOR BUREAU OF BUILDING INSPECTION ACTIVITIES AND AMENDING PART II, CHAPTER I OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY AMENDING SECTIONS 319 AND 324 THEREOF TO ELIMINATE THE BUILDING INSPECTION REVOLVING FUND AND TO ELIMINATE DEPARTMENTAL EXEMPTION FOR PAYING REPRODUCTION FEE; EFFECTIVE DATE.

NOTE: This section is entirely new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 10.117-78 thereto reading as follows:

SEC. 10.117-78. Building Inspection Fund.

(a) Establishment. There is hereby established a special fund to be known and designated as the Building Inspection Fund. All revenues collected by the Bureau of Building Inspection, including, but not limited to, application fees, permit fees, plan check fees, the Apartment and Hotel License Fee, and reproduction fees, but excluding Fire Department plan check fees, and Department of City Planning fees shall be deposited into this fund.

(b) Purpose. This fund shall be used by the Bureau of Building Inspection, subject to the approval of the Director of Public Works and the Chief Administrative Officer and in accordance with the budgetary and fiscal provisions of the Charter and the Administrative Code, exclusively to defray the costs of the Bureau of Building Inspection in processing and reviewing permit applications and plans, field inspections, code enforcement and reproduction of documents.

(c) Interest. Interest earned from the Building Inspection Fund shall become part of the principal thereof, and shall not be expended for any purpose other than that for which said fund is established.

(d) Accumulation of Monies in the Fund. The balance remaining in the Building Inspection Fund shall be deemed to have been provided for a specific purpose within the meaning of Charter Section 6.306 and shall be carried forward and accumulated in said fund for the purposes recited herein.

Section 2. Part II Chapter I of the San Francisco Municipal Code (Building Code) is hereby amended by amending Sections 319 and 324 thereof to read as follows:

NOTE: Additions and substitutions are underlined;
Deletions are indicated by ((double parentheses)).

SEC. 319. (a) General. This section is applicable to approvals granted by the Bureau, for use on a general basis in San Francisco, for alternate materials not covered in this code; for plant fabrication of building components which normally require special inspection; and for testing agencies.

Any approval shall be void if, after approval, the design or nature of the device or material, the method of construction, the quality control program, or the capabilities of the agency, are found to deviate in any way from that represented to the Bureau of the conditions of approval, without first obtaining written authorization from the Superintendent.

Any approval may be suspended or revoked by the Superintendent if he finds the approved device or material, method of construction, or quality control program does not meet

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the requirements of Sections 105 or 300 to such an extent that the approval should not have been granted.

(b) Fees. A fee shall be charged for an application for the issuance, modification, or renewal of a general approval, according to the following schedule:

General Approval-- initial or reinstatement-- $100

General Approval-- modification or revision-- $ 35

General Approval-- renewal (every 2 years) -- $ 50

The fees specified are application fees and are not refundable regardless of whether the action taken is an approval or a denial or whether a subsequent request for hearing by the Board of Examiners is filed, except for the case where an application was filed at the request or on the advice of the Bureau for situations which subsequently are determined to not require an approval.

Each approval shall become null and void unless renewed within the specified period.

(c) Building Inspection ((Revolving)) Fund. All fees collected per Section 319(b) shall be deposited into a special Building Inspection ((Revolving)) Fund established by the City Controller pursuant to Section 10.117-78 of the San Francisco Administrative Code. Funds from this ((revolving)) special fund shall be used by the Bureau, subject to the approval of the Director and the Chief Administrative Officer, to defray the costs incurred for personnel, supplies and equipment in evaluating the applications, maintaining files, disseminating information on the approvals, and reviewing plans and making inspections for compliance with the conditions of approvals. Any charges established by the Director for copies of approvals, publications or other Bureau records shall also be allocated to

this fund to cover such activities. ((The Building Inspection Revolving Fund shall continue from year to year, and shall not be included in the Cash Reserve Fund.))

SEC. 324. In order to provide for the cost of reproducing inspection reports, records, documents, and other material in the Bureau of Building Inspection files for the public, including records on microfilm, a reproduction fee shall be required payable in advance. Fees shall be chargeable to all persons, as well as City departments; when such reproduction is in response to subpoenas of records, the attorney requesting such records shall pay the fees. All fees collected shall be deposited into the Building Inspection ((Revolving)) Fund.

((An authorized City department that is responsible for enforcement of state and local codes and ordinances shall be exempt from the payment of reproduction charges for those reports, records and documents that are necessary for use in affecting compliance with said codes and ordinances.))

The fees shall be determined based upon the number of pages, type of microfilm record, or size of microfilm hard copy enlargement to be reproduced, and the number of copies required. The minimum charge per request shall be $2.50. The reproductions shall be made only after payment of the estimated charges; or when an estimate is not possible a non-refundable deposit of $2.50 shall be paid, which shall be credited against the actual charges. All costs of reproduction shall require the pickup of said reproduced material at the office of the Bureau of Building Inspection unless costs of delivery are provided. The Director may make any other rules or regulations necessary to provide for

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the reproduction of material consistent with the intent of this Section.

The fees for reproduction services shall be as follows

Electrostatic Copy	
Each page or side of page, first copy	$ .30
Additional copies of page or side of page	.12
Microfilm copy, microfilm duplicates (diazo copy)	
16mm aperture duplicard -- applications	.30
16mm aperture duplicards from roll film	.60
35mm duplicards from roll film	.90
35mm duplicards, non-roll film	.60
4" x 6" microfiche jacket duplicate	1.20
Microfilm Hard Copy Prints	
8 1/2" x 11" copy from 16mm roll film	$ .90
24" x 18" copy from 35mm roll film	1.80
"Half sized" copy from 35mm roll film	1.20
8-1/2" x 11" copy from 16mm frame in aperture card or microfiche jacket	.60

Section 3. Effective Date. The provisions of this ordinance shall go into effect on July 1, 1988. On the effective date, the Controller shall transfer to the Building Inspection Fund any unexpended balance in the Building Inspection Revolving Fund as of that date.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Theodore R. Lakey
Deputy City Attorney

DESCRIPTION APPROVED:

Superintendent,
Bureau of Building Inspection

RECOMMENDED:

Deputy Director and City Engineer

RECOMMENDED:

Director of Public Works

APPROVED:

Chief Administrative Officer

1708g

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 9, 1988	May 16, 1988
Ayes: Supervisors Britt Gonzalez Kennedy Maher Molinari Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Walker
Noes: Supervisors Nelder Silver	Noes: Supervisors Nelder
Absent: Supervisors Hongisto Hsieh Ward	Absent: Supervisors Maher Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-88-26

MAY 19 1988
Date Approved

Mayor

FILE NO. 168-88-2 ORDINANCE NO. 206-88

E R R A T A

Correct Ordinance No. 206-88 as follows:

Page 1, lines 3, 23 and 26, correct "Section 1.33" to read "Section 1.34".

John L. Taylor
Clerk of the Board
July 18, 1988

0082a

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FILE NO. 168-88-2 ORDINANCE NO. 206-88

[Official Host]

AMENDING CHAPTER 1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION ~~1.33~~ 1.34 THERETO, PROHIBITING ANY OFFICIAL OR EMPLOYEE OF THE GOVERNMENT OF THE CITY AND COUNTY OF SAN FRANCISCO FROM EXPENDING OR AUTHORIZING THE EXPENDITURE OF FUNDS TO HOST, MEET WITH, OR OTHERWISE ENTERTAIN IN AN OFFICIAL CAPACITY ANY REPRESENTATIVE FROM THE PRESENT GOVERNMENTS OF SOUTH AFRICA OR OCCUPIED NAMIBIA.

Note: This section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors finds and establishes that the present governments of South Africa and occupied Namibia have institutionalized racial discrimination, establishing a white monopoly of power thereby denying their African, Colored and Asian citizens the right to participate in the political process or benefit from an unbiased system of law. The Board of Supervisors finds and declares that the system of apartheid is morally repugnant to the people of the City and County and recognizes that apartheid is a crime against humanity.

Section 2. Chapter 1 of the San Francisco Administrative Code is hereby amended by adding Section ~~1.33~~ 1.34 thereto, to read as follows:

~~Sec. 1.33~~ 1.34. Official Host. Officials or employees of the government of the City and County of San Francisco are hereby

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prohibited from expending or authorizing the expenditure of funds to officially host or to otherwise meet with or entertain in an official capacity any official or representative of the current governments of South Africa or occupied Namibia.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

1041g/03-28-88

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 9, 1988	May 16, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Noes: Supervisors Maher	Noes: Supervisors Maher
Absent: Supervisors Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
168-88-2

MAY 19 1988
Date Approved

Mayor

FILE NO. 236-88 ORDINANCE NO. 207-88

(Conveyance-Reconveyance)

AUTHORIZING THE CONVEYANCE OF TITLE TO A PORTION OF BROADWAY STREET OVER THE BROADWAY TUNNEL TO TICOR TITLE INSURANCE COMPANY AND ITS IMMEDIATE RECONVEYANCE BACK TO CITY AND COUNTY OF SAN FRANCISCO.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Director of Public Works and the Director of Property, the Board of Supervisors hereby declares that the public interest and necessity require by quitclaim deed the City conveys to TICOR Title Insurance Company a portion of Broadway Street over the Broadway Tunnel as outlined in red on the map labelled Exhibit "A" on file with the Clerk of the Board of Supervisors and that by quitclaim deed TICOR Title Insurance Company immediately thereafter reconveys back to City the same area for the purpose of creating a title of record in the City and County of San Francisco.

Section 2. Such a title of record is required to enable the City and County of San Francisco to file a "McEnerney" Action to clear title to the subject property to satisfy HUD funding requirements for the Pineview Senior Citizens Housing Project.

Section 3. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, are hereby authorized and directed to execute and deliver a quitclaim deed to TICOR Title Insurance Company conveying said property with instructions that TICOR Title Insurance Company may record said deed when it holds, and can immediately thereafter record, an executed quitclaim deed from TICOR Title Insurance Company back to the City conveying the same property.

Section 4. The Director of Property is hereby authorized to accept deed reconveying subject property back to the City and the City Attorney shall examine title to the property.

RECOMMEND:

Director of Public Works

Director of Property

Chief Administrative Officer

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

by

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 9, 1988	May 16, 1988
Ayes: Supervisors Britt Gonzalez Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Walker
Absent: Supervisors Hongisto Hsieh	Absent: Supervisors Gonzalez Maher Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 236-88

MAY 19 1988
Date Approved

Mayor

FILE NO. 45-88-27

ORDINANCE NO. 208-88

RO #7265

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF RAYMOND RANDLE, JR. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $25,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "RAYMOND RANDLE, JR. v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 801-000, by the payment of $25,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

POLICE DEPARTMENT

FRANK JORDAN
Chief of Police

FUNDS AVAILABLE:

JOHN CARRELL
Controller

DAD:otv/wrc

3009T/8

01 001 97 09 38
309781 1450 $25,000.00

Funding subject to approval of Supplemental Request No. 115 RO. #7247.

APR 20 1988

APPROVED:

POLICE COMMISSION

SECRETARY

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 9, 1988	§	May 16, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Molinari Nelder Silver Walker	§	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Walker
Absent: Supervisors Hsieh Kennedy Maher Ward	§	Absent: Supervisors Gonzalez Maher Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-88-27

MAY 19 1988
Date Approved

Mayor

FILE NO. 46-88-3 ORDINANCE NO. 209-88

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF THOMAS A. ARNOLD, CITY AND COUNTY OF SAN FRANCISCO v. JAMES COLEMAN, et al. UPON RECEIPT OF THE SUM OF $250,000 AND AUTHORIZING DISMISSAL OF SAID LITIGATION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle the action entitled "THOMAS A. ARNOLD, CITY AND COUNTY OF SAN FRANCISCO v. JAMES COLEMAN, et al.," Marin County Superior Court No. 127294, by acceptance of the sum of $250,000.00 and a Third Party Compromise and Release executed by the City employee Thomas A. Arnold.

Section 2. Upon receipt of said sum of $250,000.00, the City Attorney is authorized to dismiss said complaint.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Dan Maguire
DAN MAGUIRE
Deputy City Attorney

0121d

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By: Pamela A. Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 9, 1988	May 16, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Molinari Nelder Silver Walker	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Walker
Absent: Supervisors Hsieh Kennedy Maher Ward	Absent: Supervisors Gonzalez Maher Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 46-88-3

MAY 19 1988
Date Approved

Art Agnos
Mayor

FILE NO. 101-87-84

ORDINANCE NO. 210-88

RO# 7254 SA#134

(Government Funding)

APPROPRIATING $664,000 FOR PERMANENT SALARIES - NURSES, MANDATORY FRINGE BENEFITS, OVERTIME AND TEMPORARY SALARIES, PUBLIC HEALTH - COMMUNITY MENTAL HEALTH SERVICES, FOR FISCAL YEAR 1987-88; AN EMERGENCY MEASURE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 315	Emergency Reserve	$664,000	
	Public Health -		
87-27-00	Community Mental Health Services		
01-0050 (441055)	Permanent Salaries - Nurses		$215,000
04-0600	Mandatory Fringe Benefits		234,000
03-0100	Overtime		5,000
02-0200	Temporary Salaries		210,000
	Total	$664,000	$664,000

Section 2. This ordinance is passed as an emergeney measure and the Board of Supervisors does hereby declare by the vote by which this ordinance is passed that an actual emergency exists and this ordinance be made effective forthwith; the nature of the emergency being the immediate preservation of public safety and the uninterrupted operation of the Community Mental Health Services. Without these additional funds, the department would be unable to comply with the Federal Court Order issued in Stone et al v. City and County of San Francisco, which mandates that measures be taken to provide adequate care to the jail inmates as required by the consent decree in said court action.

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APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER

APR 22 1988

APPROVED:
CIVIL SERVICE COMMISSION

BY: N/R
GENERAL MANAGER, PERSONNEL

RECOMMENDED:
for MAYOR

ac(0721P81&82)

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Passed as an Emergency Measure
Board of Supervisors, San Francisco May 23, 1988

Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward

Absent: Supervisors Britt Nelder

I hereby certify that the foregoing ordinance was passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-87-84

MAY 25 1988
Date Approved

Mayor

AMENDMENT OF THE WHOLE
5/10/88

FILE NO. 106-87-4 ORDINANCE NO. 211-88

(Overtime)

AMENDING CHAPTER 18 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 18.13 THERETO, ESTABLISHING THE MAXIMUM AMOUNT OF OVERTIME ALLOWED EMPLOYEES.

NOTE: This section is entirely new

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 18 of the San Francisco Administrative Code is amended by adding Section 18.13 thereto, reading as follows:

SEC. 18.13. Maximum Permissible Overtime.

(a) No appointing officer shall suffer or permit any employee to work overtime hours that exceed, in any fiscal year, 16% of the number of hours that the employee is regularly scheduled to work on a straight-time basis in that fiscal year. For the purpose of calculating the maximum number of overtime hours an employee is permitted to work under this section, hours attributed to vacation shall be deemed included in the hours the employee is regularly scheduled to work on a straight-time basis in a fiscal year.

(b) An appointing officer may, by written authorization, require an employee to work overtime hours in excess of the limitation set forth in subsection (a). The appointing officer shall submit a biannual report to the Board of Supervisors justifying any excess overtime granted pursuant to this subsection.

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(c) This section shall not apply to overtime worked by any employee where the City and County of San Francisco incurs no direct or indirect additional costs and where the employee acquires no right to compensatory time off. For the purposes of this section, "direct or indirect additional costs" includes any additional salary, wages, compensatory time or any other benefit provided at that time or deferred until a later date.

(d) The provisions of this section shall not apply to work performed by members of the uniformed ranks of the police and fire departments, transit operators and transit operator supervisors of the San Francisco Municipal Railway, nurses and other emergency workers employed by the Department of Public Health, or any other employee when the work is required pursuant to a standing directive of the appointing officer to complete a task after the end of the employee's regularly scheduled shift or to fill emergency staff shortages.

(e) The intent of the Board of Supervisors, in adopting this section, is to establish administrative procedures for the guidance of its appointing officers. It is not assuming, nor is it imposing on the City and County of San Francisco or on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach caused injury.

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Approved as to Form:
LOUISE H. RENNE, CITY ATTORNEY

By Theodore R. Lakey
Deputy City Attorney

1846gIV/1-3

SUPERVISOR NELDER

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 16, 1988	§	May 23, 1988
	§	
	§	
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker	§	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Walker Ward
	§	
	§	Noes: Supervisors Silver
	§	
	§	Absent: Supervisors Britt Nelder

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
106-87-4

MAY 25 1988

Date Approved

Mayor

FILE NO. 121-87-18 ORDINANCE NO. 212-88

[Closing-Out Sales]

AMENDING PART II, CHAPTER VIII, OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 1268 THERETO RELATING TO THE REGULATION OF CLOSING-OUT SALES.

Note: Additions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter VIII of the San Francisco Municipal Code (Police Code) is hereby amended by amending Section 1268 thereof to read as follows:

Sec. 1268. EXCEPTIONS. PERMIT FROM CHIEF OF POLICE. NUMBER OF DAYS OF SALES DESIGNATED. (a) The provisions of Section 1267 shall not apply to any bona fide sale of a stock of merchandise where the owner thereof or the creditors of the owner are engaged in a legitimate and final closing out of the business, and such sale is on the premises where the business has been carried on for not less than one year immediately preceding such sale; provided, however, that no closing-out sale shall be conducted under the provisions of this section unless a permit is first obtained from the Chief of Police.

(b) If the Chief of Police finds and determines that said sale and the business proposed to be closed out meet all the requirements of Subsection (a) hereof he shall grant the permit applied for.

If the Chief of Police finds that the owner has not carried on the business on the same premises for a period of one year immediately preceding the sale but that the said owner has continuously conducted the same business in the City and County of San Francisco for a period of not less than one year immediately preceding the sale and that the other requirements of Subsection (a) are satisfied, he may, within his discretion, grant the said permit.

(c) The Chief of Police may designate the number of days that the said closing-out sale may be conducted and in no case shall the sale be advertised and represented as a closing-out sale for a period longer than ninety calendar days at any time; provided, that in no event shall any stock of merchandise be offered for sale or sold at said closing-out sale unless the same has been upon the premises of the owner for a period of not less than ninety days prior to filing of the application for the permit.

(d) Any advertising relating to said closing-out sale must include the number of the permit obtained from the Chief of Police.

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APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Deputy City Attorney

3002P

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 16, 1988	§	May 23, 1988
	§	
	§	
Ayes: Supervisors Gonzalez Hongisto	§	Ayes: Supervisors Gonzalez Hongisto
Hsieh Kennedy Maher Molinari	§	Hsieh Kennedy Maher Molinari
Nelder Silver Walker Ward	§	Silver Walker Ward
	§	
Absent: Supervisors Britt	§	Absent: Supervisors Britt Nelder

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
121-87-18

MAY 25 1988

Date Approved

Mayor

FILE NO. 204-88-3 ORDINANCE NO. 213-88

[Confiscation of Toy Guns]

AMENDING PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY ADDING SECTION 557 TO ARTICLE 8 THERETO, RELATING TO THE PROHIBITION OF THE VISIBLE POSSESSION IN PUBLIC AREAS AND CONFISCATION OF REPLICA OR FACSIMILE FIREARMS.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That Part II, Chapter VIII of the San Francisco Municipal Code (Police Code) is hereby amended by adding Section 557 to Article 8, to read as follows:

SEC. 557. PROHIBITION OF VISIBLE POSSESSION IN PUBLIC AREAS AND CONFISCATION OF REPLICA OR FACSIMILE FIREARMS.

(a) PROHIBITION OF PUBLIC POSSESSION.

It shall be unlawful for any person, including a minor, to have in his or her visible possession in public areas a replica or facsimile firearm, as defined in Section 556 of the Police Code, the sale of which is prohibited by that Section.

(b) DEFINITIONS.

"Visible possession" shall mean that the replica or facsimile firearm is within the possession of a person, and that the replica or facsimile firearm is visible to other persons.

"Public areas" shall mean areas which are owned, leased or controlled by a public entity and which are generally open to the general public, and areas privately owned, leased or controlled which are generally open to the public, including public buildings,

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public parks, public streets, sidewalks and roadways, public educational facilities, public malls and thoroughfares.

(c) ENFORCEMENT.

Notwithstanding any other provision of this Municipal Code, violation of this Section shall not constitute a misdemeanor. The sole sanction for violation of this ordinance shall be the confiscation and destruction of the prohibited replica or facsimile firearm. Confiscation shall be made by law enforcement officers of the City and County of San Francisco authorized to make arrests, and may be made by any officials of the San Francisco Unified School District who may be duly authorized and designated to confiscate replica or facsimile firearms under this Section. These officers or officials shall deliver possession of confiscated replica or facsimile firearms to the Chief of Police for the conduct of a hearing at which further retention of the replica or facsimile firearms and their destruction will be considered. Following an opportunity for a due process hearing the Chief of Police may order the return or destruction of said firearms.

(d) HEARING AVAILABLE.

The Chief of Police is directed to establish procedures for hearings conducted by the Chief of Police or his or her designee that will be scheduled and conducted promptly after the confiscation of a replica or facsimile firearm. The purpose of the hearing authorized by this subsection will be to enable the person from whom the firearm was confiscated, or the owner of the firearm, to establish that the firearm was not in visible possession in a public area, or was not a replica or facsimile firearm within the meaning of Section 556 in violation of this ordinance at or before the time the firearm was seized by the officers or officials. No destruction

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of a replica or facsimile firearm shall occur without a duly noticed hearing having been made available to persons whose replica or facsimile firearm was confiscated.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Foley
Deputy City Attorney

1573q

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 16, 1988	May 23, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward
Noes: Supervisors Nelder	
Absent: Supervisors Britt	Absent: Supervisors Britt Nelder

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
204-88-3

MAY 25 1988
Date Approved

Mayor

FILE NO. 101-87-89

ORDINANCE NO. 214-88

R.O #7266
S. A. #128

(Government Funding)

APPROPRIATING $10,000,000 FOR CAPITAL IMPROVEMENT PROJECT (CONTROL SECONDARY TREATMENT PLANT DESIGN), CLEAN WATER, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-895	1976 Sewer Revenue Bond Fund		
G.L. 495 (035006)	Use of Surplus	$10,000,000	
92-01-00	Clean Water		
21-2030 (543363)	Capital Improvement Project		
Project 006-01	Control Secondary Treatment		
	Plant Design		$10,000,000
	Total	$10,000,000	$10,000,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY Theodore P. Salley
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER
APR 22 1988

RECOMMENDED:
Robert Gamble
MAYOR

(jc1089M)

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Passed for Second Reading

Board of Supervisors, San Francisco

May 23, 1988

Ayes: Supervisors ~~Britt~~, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, ~~Nelder~~, Silver, Walker, Ward.

~~Noes: Supervisors~~

Absent: Supervisors BRITT NELDER

John L. Taylor Clerk

101-87-89
File No.

JUN 2 1988
Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

May 31, 1988

Ayes: Supervisors ~~Britt~~, Gonzalez, Hongisto, Hsieh, Kennedy, ~~Maher~~, Molinari, ~~Nelder~~, Silver, Walker, Ward.

Noes: Supervisors NELDER

Absent: Supervisors BRITT MAHER

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Mayor

FILE NO. 103-88-1 ORDINANCE NO. 215-88

AN ORDINANCE FIXING, DESIGNATING, ENUMERATING AND PROVIDING SCHEDULES OF COMPENSATION FOR PERSONS EMPLOYED BY THE CITY AND COUNTY OF SAN FRANCISCO, THE SAN FRANCISCO COMMUNITY COLLEGE DISTRICT, THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT, WHOSE COMPENSATIONS ARE SUBJECT TO THE PROVISIONS OF SECTION 8.403 OF THE CHARTER AND ESTABLISHING BENEFITS, WORKING SCHEDULES, AND CONDITIONS OF EMPLOYMENT AND METHODS OF PAYMENT, EFFECTIVE JULY 1, 1988.

Be it ordained by the People of the City and County of San Francisco:

SECTION I. SCHEDULES OF COMPENSATION.

SEC. I.A. Schedules. Compensation for the respective classifications of employment shall be paid for services under a normal work schedule as defined in Section II hereof. Compensations are gross amounts and are on a biweekly basis unless otherwise specified.

SEC. I.B. Maintenance and Charges. Charges and deductions for all maintenance, such as housing, meals, laundry, etc., furnished to and accepted by employees shall be made on timerolls and payrolls in accordance with a schedule of maintenance charges fixed and determined in the Annual Salary Ordinance.

SEC. I.C. Uniform Allowance. Registered Nurses, excluding "as needed" Registered and Per Diem Nurses, who are required to wear and supply their own uniforms in the course of their duties and are employed on September 1, 1988 shall be paid an annual uniform allowance of $175.00, and, in the case of Staff Nurses (Bargaining Unit 8-D) wearing and supplying lab coats, smocks, or scrubs, $100.00, no later than December 1 of each year.

SECTION II. WORK SCHEDULES (Bargaining Units 8-D, 11-B).

SEC. II.A. Normal Work Schedules.

SEC. II.A.1. Unless otherwise provided in this ordinance, a normal work day is a tour of duty of eight (8) hours completed within not more than nine (9) hours.

Upon request of the appointing officer, the Civil Service Commission may authorize work schedules for registered nurse classifications which are comprised of eight (8) hours within twelve (12) or a forty hour work week in four, five or six consecutive days. Such change in the number of work days shall not alter the basis for, nor entitlement to, receiving the same rights and privileges as provided all five-day, forty-hour-a-week employees.

All classifications of employees having a normal work day of eight (8) hours may voluntarily work in flex-time programs authorized by appointing officers and may voluntarily work more than or less than eight (8) hours within twelve (12) hours, provided that the employee must work five (5) days a week, eighty (80) hours per payroll period, and must execute a document stating that the employee is voluntarily participating in a flex-time program and waiving any rights he or she may have on the same subject contained in a memorandum of understanding.

Registered Nurses may voluntarily work twelve (12) hour shifts when authorized by the appointing officer, provided such twelve (12) hour shifts shall not alter the basis for, nor entitlement to, receiving the same rights and privileges as provided all five-day, forty-hour-a-week employees and provided, further, that said employees shall be entitled to overtime compensation for work only in excess of eighty (80) hours per payroll period and provided, further, that said employees shall accumulate compensatory time off at the rate of time and one-half (1-1/2) only for time worked in excess of eighty (80) and less than eighty-four (84) hours per payroll period.

Upon request of the union to any City department, the Board of Supervisors authorizes any department head, board or commission to meet and confer with the union on proposals offered by the union or the department relating to alternate scheduling of working hours for all or part of a department. Such proposals may include but are not limited to core-hour flex-time, full-time work weeks of less than five (5) days or a combination of plans which are mutually agreeable to the union and the department concerned. It is the intent of the Board that the work year shall continue to be two thousand eighty (2080) hours (2088 in leap years) and that overtime shall be earned on a daily and weekly basis provided, however, the union and the affected department may mutually agree on cost equivalent alternative scheduling practices. Any such agreement shall be submitted in ordinance form to the Board of Supervisors for its approval or rejection.

SEC. II.A.2. A normal work week is a tour of duty on each of five consecutive days.

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SEC. II.A.3. Exceptions:

SEC. II.A.3.(A). The 20-20 Education Program

SEC. II.A.3.(B). Specially funded training programs approved by the Civil Service Commission.

SEC. II.A.3.(C). Educational and training courses - regular permanent civil service employees may, on a voluntary basis with approval of appointing officer, work a forty hour week in six days when required in the interest of furthering the education and training of the employee.

SEC. II.A.3.(D). Employees shall receive no compensation when properly notified (2 hour notice) that work applicable to the classification is not available because of inclement weather conditions, shortage of supplies, traffic conditions or other unusual circumstances. Employees who are not properly notified and report to work and are informed no work applicable to the classification is available shall be paid for a minimum of two hours.

Employees who begin their shifts and are subsequently relieved of duty due to the above reasons shall be paid a minimum of four hours, and for hours actually worked beyond four hours, computed to the nearest one-quarter hour.

SEC. II.A.3.(E). Special Educational Leave for Health Personnel. Each full-time and regularly scheduled part-time nurse, excluding P-103 Per Diem Nurses, shall be allowed a maximum of forty (40) hours educational leave with pay per fiscal year or a pro rata share thereof to attend formally organized courses, institutes, work shops or classes which relate to nursing education or classes which relate to professional nursing development and education or are necessary to achieve the particular classification's recertification or relicensure.

It is the intent of the Board of Supervisors that leave pursuant to this paragraph shall be granted subject only to the reasonable staffing requirements of the departments and that in granting of such leave, preference shall be given to the employee having the earliest relicensure or recertification date.

SEC. II.A.3.(F). Voluntary Reduced Work Period for Public Health Nurses. Employees in classifications 2830 Public Health Nurse and 2832 Supervising Public Nurse may elect to participate for six month periods in a 5% basic biweekly salary reduction plan subject to the approval of the Community Public Health Services, Director of

Nursing. Employees who elect this alternate pay plan shall receive 5% less salary on a biweekly basis and, in addition to other vacation, holiday, and sick leave benefits, shall receive 6-1/2 working days off with pay in one period, provided that if the employee is entitled to be paid for less than 40 hours per week for the six month period, he or she shall receive a pro rata portion of the 6-1/2 days.

If the employee resigns during the six month period, an adjustment shall be made in the final pay check for any portion of the 6-1/2 days off with pay received but to which the employee lost entitlement by reason of his or her resignation.

The periods shall be as follows: two six month periods each fiscal year, one commencing on July 1 and one ending on the following December 31 and a second commencing on January 1 and ending the following June 30. Notification of participation must be received by the appointing officer no later than two weeks prior to the commencement of the period. Days off earned pursuant to this section are not subject to accumulation and must be utilized during the period on a scheduled basis mutually agreed to by the employee and the appointing officer.

SEC. II.A.3.(G). Voluntary Reduced Work Week. Employees with the approval of the appointing officer may voluntarily elect to work a reduced work week for a specified period of time. Such reduced work week shall not be less than sixteen (16) hours per week. Pay, vacation, holidays and sick pay shall be reduced in accordance with such reduced work week.

SEC. II.B. Part-Time Work Schedule. A part-time work schedule is a tour of duty of less than forty hours per week.

SECTION III. COMPENSATION FOR VARIOUS WORK SCHEDULES (Bargaining Units 8-D, 11-B).

SEC. III.A. Normal Work Schedule. Compensation fixed herein on a per diem basis are for a normal eight hour work day, and on a biweekly basis for a biweekly period of service consisting of normal work schedules.

SEC. III.B. Part-Time Work Schedules. Salaries for part-time services shall be calculated upon the compensation for normal work schedules proportionate to the hours actually worked.

SECTION IV. ADDITIONAL COMPENSATION

SEC. IV.A. Shift Differential. (Bargaining Units 8-D, 11-B). Employees shall be paid 10% more than the base rate set forth herein for hours worked in shifts designated by the Department of Public Health to be evening shifts and 15% more than the base hourly rate for hours worked in shifts designated by the Department of Public Health to be a night shift, excepting those employees participating in an authorized flex-time program who voluntarily work during hours otherwise designated as an evening or night shift.

SEC. IV.B. Extended Tour of Duty. (Bargaining Units 8-D, 11-B). An extended tour of duty shall be a tour of duty of eight hours work completed within eleven consecutive hours but extended over more than nine hours. There shall be only one split in any tour of duty. The employees on an extended tour of duty shall be paid for time actually worked and shall be paid 50% above their base rate after the ninth hour. These provisions shall not apply to executive, administrative or professional employees.

SEC. IV.C. Interpreter-Translator Pay. Employees in Bargaining Units 8-D, 11-B who are assigned by their department to a "Designated Bilingual Position" may be granted additional compensation of $13.00 weekly. A "Designated Bilingual Position" is one designated by the Department related to a public service function of a department and requiring translating to and from a foreign language, including sign language as used by the deaf, a minimum of 5 hours weekly.

/26/88 Subject to and conditioned upon the execution of a Memorandum of Understanding between the City and County of San Francisco and SEIU Local 790 (representing P-103 Per Diem Nurses), Nurses in the P-103 classification who are assigned by their department to a "Designated Bilingual Position" may be granted additional compensation of $13.00 weekly. A "Designated Bilingual Position" is one designated by the Department related to a public service function of a department and requiring translating to and from a foreign language, including sign language as used by the deaf, a minimum of 5 hours weekly.

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SEC. IV.D. Supervisory Differential Adjustment.

The Civil Service Commission is hereby authorized to adjust the compensation of a supervisory employee whose schedule of compensation is set herein subject to the following conditions.

SEC. IV.D.1. The supervisor, as part of the regular responsibilities of his/her class, supervises, directs, is accountable for and is in responsible charge of the work of a subordinate or subordinates.

SEC. IV.D.2. The organization is a permanent one approved by the appointing officer, chief administrative officer, board or commission, where applicable, and is a matter of record based upon review and investigation by the Civil Service Commission.

SEC. IV.D.3. The supervisor has completed a probationary period in a civil service class and holds permanent status to a full-time position.

SEC. IV.D.4. The classifications of both the supervisor and the subordinate are appropriate to the organization and have a normal, logical relationship to each other in terms of their respective duties and levels of responsibility and accountability in the organization.

SEC. IV.D.5. The compensation schedule of the supervisor is less than 5% or one full step over the compensation schedule, exclusive of extra pay, of the employee supervised. In determining the compensation schedule of a classification being paid a flat rate, the flat rate will be converted to a biweekly rate and the compensation schedule the top step of which is closest to the flat rate so converted shall be deemed to be the compensation schedule of the flat rate classification.

SEC. IV.D.6. The adjustment of the compensation schedule of the supervisor shall be to the nearest compensation schedule representing, but not exceeding, 5 percent or one full step over the compensation schedule, exclusive of extra pay, of the employee supervised.

If the application of this section adjusts the rate of pay of an employee in excess of his/her immediate supervisor, the pay of such immediate supervisor shall be adjusted to an amount $1.00 biweekly in excess of the base rate of his/her highest paid subordinate, provided that the applicable conditions under paragraph "D" are also met.

SEC. IV.D.7. The decision of the Civil Service Commission as to whether the compensation schedule of a supervisory employee shall be adjusted in accordance with this section shall be final.

SEC. IV.D.8. Compensation adjustments are effective retroactive to the beginning of the current fiscal year or the date in the current

fiscal year upon which the employee became eligible for such adjustment under these provisions.

SEC. IV.D.9. In no event will the Civil Service Commission approve a supervisory salary adjustment in excess of 10% or two full steps over the supervisor's current basic compensation. If, in the following fiscal year a salary inequity continues to exist, the Civil Service Commission may again review the circumstances and may grant an additional salary adjustment not to exceed 10% or two full steps.

SEC. IV.D.10. It is the responsibility of the appointing officer immediately to notify the Civil Service Commission of any change in the conditions or circumstances that were and are relevant to a request for salary adjustment under this section either acted upon by or pending before the Civil Service Commission.

SEC. IV.E. Standby Pay (Bargaining Units 8-D and 8-KK). Nurses who are required by the Department to stand by when normally off duty to be constantly available for immediate service shall be paid at twenty-five (25%) of their regular straight time rate of pay for the period of such standby service. When such nurses are called upon to report to work during the period of such standby service, they shall be paid the usual rate of pay for time spent at work. The Department will review, upon request of the Union, the feasibility of using standby pay in specific areas of the Department.

SEC. IV.F. Call Back (Rest Between Shifts) (Bargaining Units 8-D, 11-B). Employee in classes 2320 Registered Nurse, 2322 Head Nurse, 2323 Clinical Nurse Specialist, 2328 Nurse Practitioner, 2330 Anesthetist, 2340 Operating Room Nurse, 2342 Head Nurse, Surgery, and 2830 Public Health Nurse shall have an unbroken rest period of at least twelve (12) hours between shifts, and of at least fifty-five (55) hours between shifts when said employee is off on the weekend or two (2) consecutive days off, and of at least thirty-one (31) hours between shifts when said employee is off on a holiday or on a single day off. All hours worked within the above rest periods shall be paid at the rate of time and one-half as determined by the 1988-89 Annual Salary Ordinance.

5/26/88

Subject to and conditioned upon the execution of a Memorandum of Understanding between the City and County of San Francisco and Teamsters Local 856 (representing Supervisory Nurses), Nurses in Classifications 2324 (Nursing Supervisor Z) and 2326 (Nursing Supervisor Psychiatric Z) shall be eligible for call back pursuant to the provisions of this section.

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This provision may be waived on the request of said employee and the approval of the appointing officer or appropriate designated representative. Employees on call back resume their regular work schedule on the day after call back. If his/her regular schedule calls for him/her to come in within eight (8) hours after call back, the employee has the option to not work or work at time and one-half until he/she has twelve (12) consecutive hours rest time.

SEC. IV.G. Weekends Off for Nurses (Bargaining Unit 8-D). Employees in classes 2320 Registered Nurse, 2323 Clinical Nurse Specialist, 2330 Anesthetist, 2340 Operating Room Nurse, and 2830 Public Health Nurse shall receive two weekends off each month. If any such employee is required to work three (3) consecutive weekends, he/she shall receive time and one-half on the third and succeeding consecutive weekends. Individual nurses have the option to waive this provision with two weeks notice for a specified period of time with the approval of the appointing officer or appropriate designated representative, notwithstanding the provisions of Section II of this ordinance, in order to guarantee two weekends off each calendar month. There shall be no restrictions on split days off.

Notwithstanding any other provisions of this ordinance, employees in these classifications shall not work more than six consecutive days if days off are split, or eight consecutive days off are not split. This provision may be waived upon the written request of the employee with the approval of the appointing officer or the designated representative.

SEC. IV.H. WEEKEND PREMIUM (Bargaining Units 8-D and 11-B).

Registered nurses who voluntarily work three of every four weekends shall receive a premium of 10% above their basic hourly wage, including shift and other differentials, for each weekend worked.

A registered nurse shall be eligible for a weekend premium only when he/she commits to working a three out of four weekend schedule for three months.

SECTION V. OVERTIME COMPENSATION

SEC. V.A. Appointing officers may require employees to work longer than the normal work day or longer than the normal work week. Any time worked under proper authorization of the appointing officer or his/her designated representative or any hours suffered to be worked by an employee, in excess of the regular or normal work day or week

shall be designated as overtime and shall be compensated at one and one-half times the base hourly rate which may include a night differential if applicable, provided that employees working in a flex-time program shall be entitled to overtime compensation as provided herein when required to work more than eight hours in a day or eighty hours per payroll period. Overtime compensation so earned shall be computed subject to all the provisions and conditions set forth herein.

The Civil Service Commission shall determine whether work in excess of eight (8) hours a day performed within a sixteen (16) hour period following the end of the last preceding work period shall constitute overtime or shall be deemed to be work scheduled on the next work day.

No appointing officer shall require an employee not designated by a "z" symbol in the Annual Salary Ordinance to work overtime when it is known by said appointing officer that funds are legally unavailable to pay said employee, provided that an employee may voluntarily work overtime under such conditions in order to earn compensatory time off at the rate of time and one-half, pursuant to the provisions of Section V.B.

SECTION V.B. Employees occupying executive, administrative, or professional positions designated by a "z" symbol in the Annual Salary Ordinance shall not be paid for overtime worked, but may be granted compensatory time off at the rate of one and one-half times for time worked in excess of normal work schedules.

Non "z" designated employees who are required or suffered to work overtime shall be paid in salary unless the individual employee requests compensatory time off in lieu of paid overtime providing the request is approved by the appointing officer. Compensatory time shall be earned at the rate of time and one-half, request to receive compensatory time shall be made in writing and shall be submitted to the appointing officer or designated representative as soon as possible and in no event later than the end of the first pay period following the pay period in which the overtime was worked. In lieu compensatory time off shall be taken at a time mutually agreeable to the employee and the appointing officer in the fiscal year earned subject to the following conditions:

1) If the appointing officer and the employee are unable to mutually agree on when time off shall be taken, any accrued time off shall be paid at the end of the fiscal year; or,

2) If the appointing officer and the employee mutually agree, compensatory time off may be taken during the succeeding six (6) month period following the end of the fiscal year in which the compensatory time was earned. However, if the compensatory time cannot be enjoyed by the employee in said subsequent six (6) month period, he/she shall be paid in cash.

SEC. V.C. Recordation of Overtime. All overtime worked which is authorized by the appointing officer shall be recorded on separate timerolls.

SECTION VI. HOLIDAYS AND HOLIDAY PAY

SEC. VI.A. Except as otherwise provided in Section V.(B) and except when normal operations require, or in an emergency, employees shall not be required to work on the following days hereby declared to be holidays for such employees:

January 1, the third Monday in January (Martin Luther King, Jr.'s Birthday), February 12 (Lincoln's Birthday), the third Monday in February (Washington's Birthday), the last Monday in May, July 4, the first Monday in September (Labor Day), the second Monday in October (Columbus Day), November 11, Thanksgiving Day, The Day After Thanksgiving, December 25, any day declared to be a holiday by proclamation of the Mayor after such day has heretofore been declared a holiday by the Governor of the State of California or the President of the United States, and, two additional holidays to be taken on days selected by the employee subject to approval of the appointing officer. Both full-time and part-time temporary employees must complete six (6) months continuous service before receiving the additional days, except in the San Francisco Unified School District and the San Francisco Community College District when a particular day has been determined to be a floating holiday for all of the employees in the department; provided further that all part-time temporary employees who are not regularly scheduled, but are employed on an as-needed, irregular intermittent or other irregular basis are ineligible for the additional days.

Provided, further, if January 1, February 12, July 4, November 11 or December 25 falls on a Sunday, the Monday following is a holiday.

In the event a legal holiday falls on Saturday, the preceding Friday shall be observed as a holiday, provided, however, that except where the Governor declares that such a preceding Friday

shall be a legal holiday, each department head shall make provision for the staffing of public offices under his/her jurisdiction on such preceding Friday so that said public offices may serve the public as provided in Section 7.702 of the Charter. Those employees who work on a Friday which is observed as a holiday in lieu of a holiday falling on Saturday shall be allowed a day off in lieu thereof as scheduled by the appointing officer in the current fiscal year.

The San Francisco Unified School District and San Francisco Community College District may, for its own employees and employees regularly assigned from other departments, substitute for the holidays declared above an equal number of different holidays.

SEC. VI.B. Holiday Compensation for Time Worked. Employees required by their respective appointing officers to work on any of the above specified or substitute holidays, excepting Fridays observed as holidays in lieu of holidays falling on Saturday, shall be paid extra compensation of one additional day's pay at time and one-half the usual rate in the amount of twelve (12) hours pay for eight (8) hours worked or a proportionate amount for less than eight (8) hours worked, provided, however, that at the employee's request and with the approval of the appointing officer, an employee may be granted compensatory time off in lieu of paid overtime pursuant to the provisions of Section V.B. herein.

Executive, administrative and professional employees designated in the Annual Salary Ordinance with the "z" symbol shall not receive extra compensation for holiday work but may be granted time off equivalent to the time worked at the rate of one and one-half times for work on the holiday.

SEC. VI.C. Holidays for Employees on Work Schedules Other Than Monday Through Friday. Employees assigned to seven day operation departments or employees working on a five day work week other than Monday through Friday shall be allowed another day off if a holiday falls on one of their regularly scheduled days off. Employees whose holidays are changed because of shift rotations shall be allowed another day off if a legal holiday falls on one of their days off.

If the provisions of this section deprive an employee of the same number of holidays that an employee receives who works Monday through Friday, he/she shall be granted additional days off equal to such number of holidays. The designation of such days off shall be by mutual agreement of the employee and the appropriate supervisor

with the approval of the appointing officer. Such days off must be taken within the fiscal year. In no event shall the provisions of this section result in such employee receiving more or less holidays than an employee on a Monday through Friday work schedule.

SEC. VI.D. Holiday Pay for Employees Laid Off. An employee who is laid off at the close of business the day before a holiday who has worked not less than five previous consecutive work days shall be paid for the holiday.

SEC. VI.E. Employees Not Eligible for Holiday Compensation. Persons employed for holiday work only, or persons employed on a part-time work schedule which is less than twenty (20) hours in a biweekly pay period, or persons employed on an intermittent part-time work schedule (not regularly scheduled) or persons on leave without pay status both immediately preceding and immediately following the legal holiday shall not receive holiday pay.

SEC. VI.F. Part-Time Employees Eligible for Holidays. Part-time employees who regularly work a minimum of twenty (20) hours in a biweekly pay period shall be entitled to holidays as provided in Section VI.B. on a proportionate basis.

Regular full-time employees are entitled to 8/80 or 1/10 time off when a holiday falls in a biweekly pay period, therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly worked in biweekly pay period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the biweekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time off shall be taken the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employee and the appointing officer.

Part-time employees who regularly work a minimum of thirty-two (32) hours in a biweekly pay period and work on a holiday shall be entitled to full holiday pay as provided in Section VI.B.

SEC. VI.G. Time Off for Voting. If an employee does not have sufficient time to vote outside of working hours, the employee may request so much time as will allow time to vote, in accordance with the State Election Code.

SEC. VI.H. Longevity Leave. Full-time employees in Bargaining Unit 11-B in classifications:

2322	Head Nurse
2324	Nursing Supervisor
2326	Nursing Supervisor Psychiatric
2342	Head Nurse, Surgery
2344	Chief of Surgery, Nurses
2350	Instructor of Nursing, Staff Development and Research
2352	Assistant Director of Nursing, Education
2366	Assistant Director of Nurses, Laguna Honda Hospital
2368	Assistant Director of Nurses, San Francisco General Hospital
2832	Supervising Public Health Nurse

shall be granted paid longevity leave days to be taken on days selected by the employee subject to approval of the appointing officer and not subject to carry over, as follows:

After two years continuous full-time service, one leave day.

After five years continuous full-time, two leave days.

After seven years continuous full-time service, three leave days.

After ten years continuous full-time service, five leave days.

Employees in Bargaining Unit 8-D working at .8FTE or above in classifications:

2320	Registered Nurse
2323	Clinical Nurse Specialist
2330	Anesthetist
2340	Operating Room Nurse
2830	Public Health Nurse
2328	Nurse Practitioner

shall be granted paid longevity leave days to be taken on days selected by the employee subject to approval of the appointing officer and not subject to carryover, as follows:

After two (2) years' continuous permanent service at .8 FTE or above, one (1) leave day.

After five (5) years' continuous permanent service at .8 FTE or above, two (2) leave days.

After seven (7) years' continuous permanent service at .8 FTE or above, three (3) leave days.

After ten (10) years' continuous permanent service at .8 FTE or above, five (5) leave days.

SECTION VII. HEALTH INSURANCE (Bargaining Units 8-D, 11-B).

SEC. VII.A. Dependent Health Coverage. Employees shall be reimbursed for the cost of health insurance plan dependent coverage

provided by the Health Service System pursuant to the rules of the System. Reimbursement shall be for that portion of the cost of the health plan less the cost of employee only coverage.

SEC. VII.B. Dental Insurance. For fiscal year 1988-89, the City agrees to maintain the existing and present level of dental benefits (dental care insurance) for the registered nurses in bargaining units 8-D and 11-B at no cost to the employee. In the event the Charter is amended to provide dental insurance to all City employees, this provision shall become void except to the extent it is necessary to reimburse or pay employee dependent coverage costs pursuant to Section VII.A above.

SECTION VIII. CHARGE NURSE (Bargaining Unit 8-D).

Any registered nurse who is regularly employed who is assigned to do work as a charge nurse for four hours or more in a day shall be paid a premium of $1.20 an hour above the base hourly rate of pay for such hours actually assigned, provided that at San Francisco General Hospital and Laguna Honda Hospital such assignment shall be made for p.m. night and weekend shifts when no head nurse is present on the unit.

In the event a nurse is assigned to work concurrently in more than one ward per shift at Laguna Honda, excluding Clarendon Hall assignments, such nurse will receive a double charge nurse premium.

SECTION IX. SALARY STEP PLAN AND SALARY ADJUSTMENT.

SEC. IX.A. Appointments to positions in the City and County service shall be at the entrance rate established for the position except as otherwise provided herein.

SEC. IX.A.1. Promotive Appointment in Higher Class. An employee or officer who is a permanent appointee following completion of the probationary period or six months of permanent service, and who is appointed to a position in a higher classification, either permanent or temporary, deemed to be promotive by the Civil Service Commission shall have his/her salary adjusted to that step in the promotive class as follows:

(A) If the employee is receiving a salary in his/her present classification equal to or above the entrance step of the promotive class, the employee's salary in the promotive class shall be adjusted to two steps in the compensation schedule over the salary received by the lower class but not above the maximum of the salary range of the promotive classification.

(B) If the employee is receiving a salary in his/her present classification which is less than the entrance step of the salary range of the promotive classification, the employee shall receive a salary step in the promotive class which is closest to an adjustment of 7-1/2% above the salary received in the class from which promoted. The proper step shall be determined by the biweekly compensation schedule and shall not be above the maximum of the salary range of the promotive class.

(C) If the appointment deemed promotive described in IX.A.1. above is a temporary appointment, and the employee, following a period of continuous service at least equal to the prescribed probationary period is subsequently given another appointment either permanent or temporary, deemed promotive from the prior temporary appointment class, the salary step in the subsequent promotive appointment shall be deemed promotive in accordance with Sections IX.A.1.(A) and (B).

SEC. IX.A.2. Limited Tenure to Promotive. A limited tenure appointee who accepts appointment to a promotive position from a regular eligible list shall have his/her salary in the promotive appointment based on the salary in his/her regular civil service next lower rank position from which he/she gained promotive eligibility, except as herein provided.

If the following conditions are met, the salary in the promotive appointment shall be not less than the salary received under limited tenure appointment:

SEC. IX.A.2.(A). That the employee was serving under permanent limited tenure appointment for at least six months immediately prior to accepting such regular promotive appointment.

SEC. IX.A.2.(B). That the employee received a salary above the entrance rate of the compensation schedule in the permanent limited tenure appointment.

SEC. IX.A.2.(C). That if the salary steps in the limited tenure class and the regular promotional class do not match, the employee shall be advanced to the salary step in the compensation schedule nearest that received in the limited tenure appointment.

SEC. IX.A.2.(D). Further increments in the compensation schedule in the regular promotive class shall be based on the date of permanent appointment to the regular promotional appointment.

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SEC. IX.A.3. Nonpromotive Appointment.

(A) When an employee who is a permanent appointee, occupying a permanent position, following completion of the probationary period or six months of permanent service, accepts a nonpromotive appointment in a classification having a higher salary schedule, the appointee shall enter the new position at that salary fixed for such class (including seniority increments) in the schedules of compensation which is immediately in excess of the salary which the employee received immediately prior to his/her appointment to such position.

(B) When such employee accepts a nonpromotive appointment in a classification having the same salary schedule, or a lower salary schedule, the appointee shall enter the new position at that salary step which is the same as that received in the prior appointment, or if the salary steps do not match, then the salary step which is immediately in excess of that received in the prior appointment, provided that such salary shall not exceed the maximum of the salary schedule. Further increments shall be based upon the seniority increment anniversary date in the prior appointment.

SEC. IX.A.4. Appointment Above Entrance Rate. Upon the request of an appointing officer, permanent or exempt appointments may be made at any step in the compensation schedule upon recommendation of the General Manager, Personnel and the approval of the Civil Service Commission under the following conditions:

(A) A former permanent City employee, following resignation with service satisfactory, is being reappointed to a permanent position in his/her former classification;

(B) Loss of compensation would result if appointee accepts position at the normal step;

(C) A severe, easily demonstrated and documented recruiting and retention problem exists, such that all City appointments in the particular class should be above the normal step; and

(D) The Controller certifies that funds are available.

SEC. IX.A.5. Determination of Pay for Position Formerly Exempt. When a position in the municipal service has been exempt from the Salary Standardization provisions of the Charter and becomes subject thereto, or when a position becomes subject to the Salary Standardization provisions of the Charter through acquisition of a public utility, the salary of the employee holding such position shall be calculated by including credit for continuous paid or

nonpaid service in the position immediately prior to its becoming subject to salary standardization.

SEC. IX.A.6. Appointive Position. An employee who holds an appointive position whose services are terminated, through lack of funds or reduction in force, and is thereupon appointed to another appointive position with the same or lesser salary schedule, shall receive a salary in the second position based upon the relationship of the duties and responsibilities and length of prior continuous service as determined by the Civil Service Commission.

SEC. IX.A.7. Reappointment Within Six Months. A permanent employee who resigns and is subsequently reappointed to a position in the same classification within six (6) months of the effective date of resignation shall be reappointed to the same salary step that the employee received at the time of resignation.

SEC. IX.B. Compensation Adjustments.

SEC. IX.B.1. When an employee promoted to a higher classification during a prior fiscal year receives a lesser salary than if promoted in the same class and from the same salary step during the current fiscal year, his/her salary shall be adjusted on July 1, to the rate he/she would have received had he/she been promoted in the current fiscal year.

The Civil Service Commission is hereby authorized to adjust the salary and anniversary increment date of any employee promoted from one class to a higher classification who would receive a lesser salary than an employee promoted at a later date to the same classification from the same salary step in the same base class from which the promotional examination was held.

SEC. IX.B.2. When a classification that was formerly a next lower rank in a regular civil service promotional examination receives through salary standardization a salary schedule higher than the salary schedule of the classification to which it was formerly promotive, the Civil Service Commission shall authorize a rate of pay to an employee who was promoted from such lower class equivalent to the salary he/she would have received had he/she remained in such lower class, provided that such employee must file with the Civil Service Commission an approved request for reinstatement in accordance with the provisions of the Civil Service Commission rule governing reinstatements to the first vacancy in his/her former classification and provided, further, that the increased payment shall be discontinued if the employee waives an offer of promotion

from his/her current classification or refuses an exempt appointment to a higher classification. This provision shall not apply to offers of appointment which would involve a change of residence.

The special rate of pay herein provided shall be discontinued if the employee fails to file and compete in any promotional examination for which he/she is otherwise qualified, and which has a compensation schedule higher than the protected salary of the employee.

SEC. IX.B.3. When an employee is promoted under temporary appointment to a higher classification during a prior fiscal year and is continued in the same classification without a break in service in the current fiscal year, or is appointed to a permanent position in the same classification, such appointment shall be in accordance with the provisions of this ordinance, provided that the salary shall not be less than the same step in the salary schedule the employee received in the immediately prior temporary appointment.

SEC. IX.B.4. A temporary employee certified from a regular civil service entrance list who has completed six months or more of temporary employment within the immediately preceding one year period before appointment to a permanent position in the same class shall be appointed at the next higher step in the salary schedule and to successive steps upon completion of the six months or one year required service from the date of permanent appointment. These provisions shall not apply to temporary employees who are terminated for unsatisfactory services or resign their temporary position.

SEC. IX.B.5. Permanent employees working under limited tenure appointment in other classifications or temporary appointments from eligible lists in other classifications shall have their salary adjusted in the limited tenure or temporary class when such employees reach their salary anniversary date in their permanent class.

SEC. IX.C. Compensation Upon Transfer or Re-Employment

SEC. IX.C.1. An employee transferred in accordance with Civil Service Commission rules from one department to another, but in the same classification, shall transfer at his/her current salary, and if he/she is not at the maximum salary for the class, further increments shall be allowed following the completion of the required service based upon the seniority increment anniversary date in the former department.

SEC. IX.C.2. An employee who has acquired permanent status in a position and who is laid off because of lack of work or funds and is re-employed in the same class after such layoff shall be paid a salary which included credit for actual time served, either permanent or temporary, in the class prior to the layoff.

SEC. IX.C.3. An employee who has completed the probationary period in a promotive appointment that is two or more steps higher in an occupational series than the permanent position from which promoted who is subsequently laid off and returned to a position in an intermediate ranking classification shall receive a salary based upon actual permanent service in the higher classification, unless such salary is less than the employee would have been entitled to if promoted directly to the intermediate classification. Further increments shall be based upon the increment anniversary date that would have applied in the higher classification.

SEC. IX.C.4. An employee who has completed the probationary period in an entrance appointment who is laid off and is returned to a classification formerly held on a permanent basis shall receive a salary based upon the original appointment date in the classification to which the employee is returned. An employee who is returned to a classification not formerly held on a permanent basis shall receive a salary in accordance with Section IX.A.3.(B) of this ordinance.

SEC. IX.D. Notwithstanding any of the other provisions of this ordinance, no employee working in a federally funded position shall be paid at a rate less than the established federal minimum wage if that is a condition upon receipt of the federal funds.

SEC. IX.E. <u>Longevity Premium.</u> Permanent employees in classifications:

2320	Registered Nurse
2323	Clinical Nurse Specialist
2330	Anesthetist
2340	Operating Room Nurse
2830	Public Health Nurse
2328	Nurse Practitioner

with ten years or more continuous full-time or part-time service in any nurse classification shall be entitled to a longevity premium of $0.30 per hour in addition to their basic hourly rate.

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Employees in classifications:

2322	Head Nurse
2324	Nursing Supervisor
2326	Nursing Supervisor Psychiatric
2342	Head Nurse, Surgery
2344	Chief of Surgery, Nurses
2350	Instructor of Nurses
2352	Assistant Director of Nursing, Staff Development and Research
2366	Assistant Director of Nurses, Laguna Honda Hospital
2368	Assistant Director of Nurses, San Francisco General Hospital
2832	Supervising Public Health Nurse
2369	Director of Nurses Laguna Honda Hospital
2370	Director of Nurses San Francisco General

with ten years or more continuous full-time or part-time service shall be entitled to a longevity premium of $0.36 per hour in addition to their basic hourly rate.

SECTION X. <u>METHODS OF CALCULATION.</u>

SEC. X.A. Monthly - An employee whose compensation is fixed on a monthly basis shall be paid monthly or biweekly in accordance with state law or other applicable provision. There shall be no compensation for time not worked unless such time off is authorized time with pay.

SEC. X.B. Biweekly - An employee whose compensation is fixed on a biweekly basis shall be paid the biweekly salary for his/her position for work performed during the biweekly payroll period. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

SEC. X. C. Per Diem or Hourly - An employee whose compensation is fixed on a per diem or hourly basis shall be paid the daily or hourly rate of work performed during the biweekly payroll period on a biweekly pay schedule. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

SEC. X. D. Weekly - An employee whose compensation is fixed on a weekly basis shall be paid biweekly for work performed during the biweekly payroll period. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

SEC. X. E. Conversion of Annual or Monthly Rates to Semi-Monthly or Biweekly Rates - When rates of compensation provided on an annual or monthly basis are converted to biweekly rates for payroll purposes

and the resulting amount involves a fraction of a cent, the converted biweekly rate shall be adjusted to eliminate such fraction of a cent on a following basis:

1. A fraction of less than one-half (1/2) shall be dropped and the amount reduced to the next full cent.
2. A fraction of one-half (1/2) or more shall be increased to the next full cent.

SEC. X.F. Daily Rates for Monthly and Biweekly Employees - A day's pay shall be determined by dividing the number of work days in a normal work schedule in a monthly payroll period (including specified holidays) into the monthly salary established for the position, or the amount of a day's pay shall be 1/10th of the compensation of a normal work schedule in a biweekly period (including specified holidays).

SEC. X.G. Conversion to Biweekly Rates - Rates of compensation established on other than biweekly basis may be converted to biweekly rates by the Controller for payroll purposes.

SECTION XI. SENIORITY INCREMENTS.

SEC. XI.A. Entry at the First Step. Permanent registered nurse employees appointed at Step One shall advance to the second step upon completion of six months service and to each successive step upon completion of one year required service.

SEC. XI.B. Entry at Other Than the First Step. Newly employed permanent and temporary employees in registered nurse classifications shall be appointed at the second salary step if they have three (3) years' experience within the last five (5) years prior to appointment. Permanent employees shall advance at one (1) year intervals thereafter.

Newly employed permanent and temporary employees in registered nurse classifications shall be appointed at the third salary step if they have had six (6) years of experience within the last ten (10) years prior to appointment. Permanent employees shall advance at one (1) year intervals thereafter.

SEC. XI.C. Date Increment Due. Increments shall accrue and become due and payable on the next day following completion of required service as a permanent employee in the class, unless otherwise provided herein.

SEC. XI.D. Schedule of Salary Increments. The schedule of seniority increments as set forth at the end of Section XIV is hereby made a part of the schedules of compensation.

SEC. XI.E. Exceptions. An employee shall not receive a salary adjustment based upon service as herein provided if he/she has been absent by reason of suspension or on any type of leave without pay (excluding a military, educational, or industrial accident leave) for more than one-sixth of the required service in the anniversary year, provided that such employee shall receive a salary increment when the aggregate time worked since his/her previous increment equals or exceeds the service required for the increment, and such increment date shall be his/her new anniversary date, provided that time spent on approved military leave or in an appointive or promotive position shall be counted as actual service when calculating salary increment due dates.

When records of service required for advancement in the step increments within a compensation schedule are established and maintained by electronic data processing, then the following shall apply:

An employee certified to permanent appointment or appointed to a permanent position exempt from civil service shall be compensated under such appointment at the beginning step of the compensation schedule plan, unless otherwise specifically provided for in the salary standardization ordinance. Employees under permanent civil service appointment shall receive salary adjustments through the steps of the compensation schedule plan by completion of actual paid service in total scheduled hours equivalent to one year or six months, whichever is applicable.

Paid service for this purpose is herein defined as exclusive of any type of overtime but shall include military or educational leave without pay.

Advancement through the increment steps of the compensation schedules shall accrue and become due and payable on the next day following completion of required service as a permanent appointee in the class, provided that the above procedure for advancement to the compensation schedule increment steps is modified as follows:

SEC. XI.E.1. An employee who during the portion of his/her anniversary year prior to January 1, 1988, is absent without pay for a period of less than one-sixth of the time required to earn the next increment will have such absence credited as if it were paid service for the purposes of calculating the date of the increment due during calendar year 1988.

SEC. XI.E.2. An employee who during that portion of his/her anniversary year prior to January 1, 1988, is absent without pay for a period in excess of one-sixth of the time required to earn the next prior increment will be credited with actual paid service prior to January 1, 1988.

SECTION XII. ADMINISTRATION OF THE PROVISIONS OF THIS ORDINANCE.

The grievance procedure referred to in a memorandum of understanding with the Board of Supervisor shall be utilized to resolve all problems or questions of the interpretation which may arise in connection with the administration of the provisions of this ordinance until such time as the Civil Service Commission amends Rule 18 with regard to arbitration. At such time as Civil Service Commission Rule 18 is amended, the grievance procedure referred to in the memorandum of understanding shall become inoperative and Rule 18 shall become the appropriate grievance procedure.

In the absence of a memorandum of understanding grievance procedure, problems or questions of interpretation which may arise in connection with the administration of the provisions of this ordinance shall be determined by the General Manager, Personnel, after meeting and conferring with the employee or employee organization affected until such time as the Civil Service Commission amends Rule 18 with regard to arbitration. At such time as Civil Service Commission Rule 18 is amended, Rule 18 shall become the appropriate procedure to resolve problems or questions of interpretation which may arise in connection with the administration of the provisions of this ordinance.

SECTION XIII. SAVINGS CLAUSE

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or contrary to law, such decision shall not affect the validity of the remaining portions of this ordinance. If any salary, wage or schedule of compensation herein fixed is held to be contrary to the provisions of the Charter, other law or statute, such decisions shall not affect the validity of any other salary, wage or schedule of compensation fixed in this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phase hereof, and approved and adopted each salary, wage or schedule of compensation herein,

irrespective of the fact that any one or more other section, subsection, clause or phrase may be declared unconstitutional, or that any other salary, wage or schedule of compensation may be declared contrary to law.

SECTION XIV. SCHEDULES OF COMPENSATION

The schedules of compensation for the respective classifications of employment subject to the provisions of Section 8.403 of the Charter are shown in the following:

Rates for employees' classes are on a biweekly basis for a normal work schedule of five days per week, eight hours per day.

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CLASSIFICATION	SCHEDULE	STEP ONE Biweekly HOURLY	STEP TWO Biweekly HOURLY	STEP THREE Biweekly HOURLY	STEP FOUR Biweekly HOURLY	STEP FIVE Biweekly HOURLY
2320 Registered Nurse	-	1334 16.68	1381 17.26	1426 17.82	1471 18.39	1516 18.95
2322 Head Nurse	57.5	1513 18.9125	1588 19.8500	1666 20.8250	1748 21.8500	1835 22.9375
2323 Clinical Nurse Specialist	57.5	1513 18.9125	1588 19.8500	1666 20.8250	1748 21.8500	1835 22.9375
	59.5*	1666 20.8250	1748 21.8500	1835 22.9375	1927 24.0875	2023 25.2875
2324 Nursing Supervisor -Z-	58.9	1618 20.2250	1698 21.2250	1782 22.2750	1871 23.3875	1965 24.5625
2326 Nursing Supervisor	58.9	1618 20.2250	1698 21.2250	1782 22.2750	1871 23.3875	1965 24.5625
Psychiatric -Z-	59.5*	1666 20.8250	1748 21.8500	1835 22.9375	1927 24.0875	2023 25.2875
2328 Nurse Practitioner	56.0	1407 17.5875	1477 18.4625	1550 19.3750	1626 20.3250	1706 21.3250
2330 Anesthetist	59.6	1674 20.9250	1756 21.9500	1844 23.0500	1936 24.2000	2033 25.4125
2340 Operating Room Nurse	--	1334 16.68	1381 17.26	1426 17.82	1471 18.39	1516 18.95
2342 Head Nurse, Surgery	57.5	1513 18.9125	1588 19.8500	1666 20.8250	1748 21.8500	1835 22.9375
2344 Chief of Surgery, Nurses	62.4	1918 23.9750	2014 25.1750	2115 26.4375	2221 27.7625	2332 29.1500
2350 Instructor of Nursing -Z-	58.9	1618 20.2250	1698 21.2250	1782 22.2750	1871 23.3875	1965 24.5625
2352 Assistant Director of Nursing -Z-	62.4	1918 23.9750	2014 25.1750	2115 26.4375	2221 27.7625	2332 29.1500
2366 Assistant Director of Nursing, Laguna Honda Hospital -Z-	62.4	1918 23.9750	2014 25.1750	2115 26.4375	2221 27.7625	2332 29.1500
2368 Assistant Director of Nursing, SF General Hospital -Z-	62.4	1918 23.9750	2014 25.1750	2115 26.4375	2221 27.7625	2332 29.1500
2369 Director of Nurses, Laguna Honda Hospital -Z-	67.5	2459 30.7375	2582 32.2750	2711 33.8875	2847 35.5875	2989 37.3625

CLASSIFICATION	SCHEDULE	STEP ONE HOURLY	STEP TWO HOURLY	STEP THREE HOURLY	STEP FOUR HOURLY	STEP FIVE HOURLY
2370 Director of Nurses, SF General Hospital -Z-	65.6	2242 28.0250	2354 29.4250	2472 30.9000	2596 32.4500	2726 34.0750
2394 Central Processing & Distribution Supervisor	58.4	1580 19.7500	1658 20.7250	1740 21.7500	1827 22.8375	1918 23.9750
2830 Public Health Nurse -Z-	57.5	1513 18.9125	1588 19.8500	1666 20.8250	1748 21.8500	1835 22.9375
2832 Supervising Public Health Nurse -Z-	60.9	1782 22.2750	1871 23.3875	1965 24.5625	2063 25.7875	2166 27.0750
2833 Public Health Nursing Admin. -Z-	63.1	1985 24.8125	2084 26.0500	2188 27.3500	2297 28.7125	2412 30.1500
2836 Director of Public Health Nursing -Z-	67.6	2472 30.9000	2596 32.4500	2726 34.0750	2862 35.7750	3005 37.5625

P103 Special Nurse

Day Shift:	21.59/hour (flat rate)
Evening Shift:	23.32/hour (flat rate)
Night Shift:	24.18/hour (flat rate)

*Compensation rate if the Civil Service Commission requires a Master's degree in an educational program accredited by the National League for Nursing or the American Public Health Association in the appropriate clinical specialty area and the Master's degree is included in the official class specifications and examination announcements.

Newly employed permanent and temporary employees appointed in registered nurse classifications shall be appointed at the second salary step if they have had three (3) years of experience within the last five (5) years prior to appointment.

Newly employed permanent and temporary employees appointed in registered nurse classifications shall be appointed at the third salary step if they have had six (6) years of experience within the last ten (10) years prior to appointment.

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SECTION XV. LIST OF BARGAINING UNIT CLASSIFICATIONS AND UNREPRESENTED CLASSIFICATIONS.

SEC. XV.A. Bargaining Unit 8-D.

2320 Registered Nurse
2323 Clinical Nurse Specialist
2330 Anesthetist
2340 Operating Room Nurse
2830 Public Health Nurse
2328 Nurse Practitioner

SEC. XV.B. Bargaining Unit 11-K

2322 Head Nurse
2324 Nursing Supervisor
2326 Nursing Supervisor Psychiatric
2342 Head Nurse, Surgery
2344 Chief of Surgery Nurses
2350 Instructor of Nursing
2352 Assistant Director of Nursing Education
2366 Assistant Director of Nurses, Laguna Honda Hospital
2368 Assistant Director of Nurses, S.F.G.H.
2832 Supervising Public Health Nurse

SEC.XV.C. Bargaining Unit 8-KK

P-103 Per Diem Nurse

SEC. XV.D. Unrepresented Classifications.

2369 Director of Nurses, Laguna Honda Hospital
2370 Director of Nurses, S.F.G.H.
2394 Central Processing & Distribution Supervisor
2833 PHN Administrator
2836 Director, Public Health Nursing

SECTION XVI. EFFECTIVE DATE

This Ordinance shall take effect on July 1, 1988.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Theodore R. Lakey
Deputy City Attorney

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Passed for Second Reading

Board of Supervisors, San Francisco

May 26, 1988

Ayes: Supervisors Britt, Gonzalez, Hongisto, [redacted], [redacted], Maher, Molinari, [redacted], [redacted], Walker, [redacted].

~~Noes: Supervisors~~

Absent: Supervisors HSIEH KENNEDY NELDER SILVER WARD

John L. Taylor Clerk

MAY 31 1988

103-88-1
File No.

Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

May 31, 1988

Ayes: Supervisors [redacted], Gonzalez, Hongisto, Hsieh, Kennedy, [redacted], Molinari, Nelder, Silver, Walker, Ward.

~~Noes: Supervisors~~

Absent: Supervisors BRITT MAHER

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Art Agnos
Mayor

FILE NO. 114-88-4 ORDINANCE NO. 216-88

(Energy Conservation)

AMENDING CHAPTER 1, PART II OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY ADDING CHAPTER 53 THERETO ESTABLISHING ENERGY CONSERVATION STANDARDS FOR EXISTING COMMERCIAL BUILDINGS UPON TITLE TRANSFER, ADDITIONS AND ALTERATIONS.

NOTE: Entire Chapter is new

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 1, Part II of the San Francisco Municipal Code (Building Code) is hereby amended by adding Chapter 53 thereto as follows:

CHAPTER 53

COMMERCIAL ENERGY CONSERVATION

General
SEC. 5301 Title
SEC. 5302 Findings
SEC. 5303 Intent
SEC. 5304 Definitions
SEC. 5305 City-wide Educational Program
Administration
SEC. 5310 Administration
SEC. 5311 Rules and Guidelines
SEC. 5312 Operative Date
SEC. 5313 Ordinance Review
SEC. 5314 Civil Remedies
Requirements
SEC. 5320 Requirements
SEC. 5321 Time Allowed for Compliance
SEC. 5322 General and Limited Exemptions
SEC. 5323 Title Transfer Exemptions
SEC. 5324 Transfer of Compliance Responsibility to Buyer
SEC. 5325 Notice of this Ordinance upon Resale
SEC. 5326 Postponement of Requirements
SEC. 5327 Limitation of Expenditures
SEC. 5328 Early Compliance with Energy Conservation Standards
Inspections, Appeals and Fees
SEC. 5330 Energy Inspections
SEC. 5331 Proof of Compliance with Energy Conservation Standards
SEC. 5332 Appeals from Results of an Energy Inspection
SEC. 5333 Fees
Standards
SEC. 5340 Energy Conservation Standards
SEC. 5341 Heating, Ventilating and Air Conditioning (HVAC) Measures
SEC. 5341.1 Thermostatic Control
SEC. 5341.2 Reset Control For Supply Air Temperature
SEC. 5341.3 Outside Air Economizer Cycle
SEC. 5341.4 Ventilation Fan Controls
SEC. 5341.5 Repair of Air Ducts
SEC. 5341.6 Repair and Adjustment of Dampers
SEC. 5341.7 Insulation of Supply Air Ducts and Plenums
SEC. 5341.8 Insulation of Pipes and Storage Tanks
SEC. 5341.9 Cleaning and Tuning of Furnaces
SEC. 5341.10 Cleaning and Tuning of Boilers
SEC. 5341.11 Repair of Hot Water and Steam Leaks
SEC. 5341.12 Boiler Recirculation Pump Timeclock Controls
SEC. 5341.13 Additional Boiler Conservation Measures
SEC. 5341.14 Cleaning and Tuning of Chiller Systems
SEC. 5341.15 Repair of Chilled Water Leaks
SEC. 5341.16 Timeclock Control of Chilled Water Pumps
SEC. 5341.17 Reset Control for Chillers
SEC. 5341.18 Informational HVAC Survey Requirement
SEC. 5342 Service Hot Water Systems
SEC. 5342.1 Hot Water Temperatures
SEC. 5342.2 Insulation of Water Heaters and Storage Tanks
SEC. 5342.3 Timeclock Control of Hot Water Recirculating Pumps
SEC. 5342.4 Low Volume Showerheads
SEC. 5343 Lighting
SEC. 5343.1 Maximum Interior Lighting Load
SEC. 5343.2 Walkway, Corridor and Parking Garage Lighting
SEC. 5343.3 Exterior Lighting Systems
SEC. 5343.4 Exterior Lighting Controls
SEC. 5343.5 Informational Lighting Survey Requirement
SEC. 5344 Commercial Refrigeration Equipment
SEC. 5344.1 Cleaning and Tuning of Refrigeration Equipment
SEC. 5344.2 Thermal Doors and Curtains
SEC. 5345 Motor-driven Equipment
SEC. 5346 Swimming Pools and Spas
SEC. 5346.1 Swimming Pools and Spa Covers
SEC. 5346.2 Timeclock Control of Circulation Pumps
SEC. 5346.3 Cleaning and Tuning of Heaters
SEC. 5347 Building Envelope
Miscellaneous
SEC. 5350 Disclaimers
SEC. 5351 Severability

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BOARD OF SUPERVISORS

GENERAL

TITLE

SEC. 5301. This chapter shall be known as the Commercial Energy Conservation Ordinance.

FINDINGS

SEC. 5302. The Board of Supervisors finds that:

(a) San Francisco businesses pay more than $250,000,000 each year in energy bills. This cost contributes to the high cost of doing business in San Francisco and to the drain of energy dollars from the local economy to pay for energy import.

(b) San Francisco's energy policy, as expressed in the Energy Component of the Environmental Protection Element of the Comprehensive Plan for the City and County of San Francisco (Master Plan), is to: 1) increase the efficiency with which energy is used locally; 2) diversify the present balance of resource supplies to meet local energy needs; 3) foster the economic development of energy management services; and 4) encourage the active participation of members of the community to carry out this program.

(c) The Residential Energy Conservation Ordinance of 1982 has been an effective method for achieving energy efficiency in the residential sector with improvements in 140,000 units conserving approximately $11,000,000 in nearly 5 years.

(d) Significant opportunities exist to improve the energy efficiency of existing commercial property through the installation of proven energy conservation technologies, thereby enabling businesses to become less dependent on the supply of conventional energy.

(e) Less progress has been made toward energy efficiency

in commercial buildings that are not owner-occupied due to a variety of institutional barriers, including mastermetering, tenant lease agreements, and inadequate access to capital and expertise.

(f) An ordinance requiring commercial building energy conservation standards be met at the time of resale or renovation, will ensure that building owners have access to reliable energy efficiency technical advice at the times when capital for building improvements is most available.

(g) Commercial building energy conservation standards will provide the owners and tenants of commercial property the same energy saving benefits now received by residential property owners and tenants.

(h) The local economic effect of energy conservation standards for commercial buildings will be positive. During the first 5 years of this ordinance, it is estimated that 5,000 buildings will be retrofitted with an energy savings to building owners and tenants totalling $50 million.

INTENT

SEC. 5303. The intent of this ordinance is to promote the wise and efficient use of energy through cost-effective energy efficiency improvements and practices for commercial buildings. The intent is also to benefit the San Francisco community by retaining funds, that would have left the local economy as energy payments, for more productive investment activities.

DEFINITIONS

SEC. 5304. For purposes of this chapter the following words and phrases shall have the meanings ascribed to them by

this section.

"Accessible" shall mean there is sufficient space in which to install the specified energy conser ation measure without significant alteration to the structure. For ducts, plenums or pipes, accessible shall mean all ductwork, plenums or pipes located in mechanical rooms, on roofs and around all air handling units. In addition, pipes located above moveable ceiling panels shall be considered accessible, but not ducts or plenums.

"Accessible attic space" shall mean a space between a ceiling joist and roof rafter where the vertical clear height from the top of the bottom chord of the truss or ceiling joist to the underside of the roof sheathing at the roof ridge is greater than eighteen (18) inches.

"Applicable", in reference to any energy conservation measure, shall mean the specified energy conservation measure is technically feasible, consistent with standard maintenance and/or engineering practice, and is likely to result in energy savings.

"Approved calculation method" shall mean the California Energy Commission's Public Domain Computer Program, one of the California Energy Commission's Simplified Calculation Methods, or any other calculation method approved by the Executive Director of the California Energy Commission.

"Building Occupancy" shall mean "occupancy" as defined in Section 416 of this code and shall also, where practicable, include the primary business activity of the property as classified by Standard Industrial Classification (SIC).

"Building Type" shall mean the type of building construction, as defined in Chapter 17 of this code, and shall take into consideration whether the building is a "high-rise building" as defined by Section 1807 of this code.

"Chiller system" shall mean a mechanical refrigeration system consisting of an evaporator, compressor, and air or water cooled condenser that cools water which is then piped to various parts of a building to provide space cooling.

"Comfort conditioning" shall mean the provision of heating, cooling, humidification or dehumidification for the provision of human comfort by transporting air through ducts or plenums, or by heated or cooled surfaces whose output is greater than 10 Btu per hour per square foot of floor area.

"Commercial building" shall mean any privately owned building except those residential buildings and mixed residential-commercial buildings or portions thereof that are subject to the energy conservation requirements of Article 12 of the San Francisco Housing Code (Residential Energy Conservation Ordinance).

"Conditioned Space" shall mean any enclosed space that (a) is provided with comfort conditioning; or (b) is considered indirectly conditioned space.

"Cost-effective" shall mean having a simple economic payback that does not exceed four (4) years or the expected life of an energy conservation measure, whichever is shorter.

"Energy inspection" shall mean an inspection of a building, by an inspector authorized under Section 5330 of this chapter, to determine which energy conservation measures required under this chapter are needed.

"Escrow" shall mean any transaction wherein one person, for the purpose of effecting the sale, transfer, encumbering, or leasing of real property to another person, delivers any written instrument, money, evidence of title to real property, or other thing of value to a third person to be held by such third person

until the happening of a specified event or the performance of a prescribed condition, when it is then to be delivered by such third person to a grantee, grantor, promisee, promisor, obligee, obligor, bailee, bailor, or any agent or employee of any of the latter.

"Established contractor's cost" shall mean the contractor's fee, including labor and material, plus the engineer's fee to do the required work, provided that the engineer's fees do not exceed the schedule of fees provided by the Superintendent.

"HVAC system" shall mean any system that provides comfort heating, ventilating, and/or air conditioning within or associated with a building.

"Indirectly conditioned space" shall mean space that is not provided with comfort conditioning and that has (1) either a heat transfer to spaces provided with comfort conditioning that is greater than its heat transfer to other spaces or ambient conditions at a temperature difference of 1° Fahrenheit, and (2) an unintentional infiltration rate that is less than 5 air changes per hour at a wind speed of 1 mile per hour.

"Lighting system" shall mean any lighting designed to provide a substantially uniform level of illumination throughout an area, exclusive of any provision for special visual tasks, accent lighting, or decorative effect.

"Occupied building or zone" shall mean a building area or areas during work hours and other hours when in use, that has a sufficient amount of people or equipment to require space conditioning. The presence of regular maintenance and/or cleaning personnel shall not constitute an occupied building or zone.

"Permit applicant" shall mean the person listed on the

building permit application as the owner or lessee of the building.

"Qualified professional" shall mean a person regularly engaged in the field of making repairs, adjustments and inspections of energy using equipment contained in HVAC, lighting, or service hot water systems.

"Reset" shall mean the adjustment of a set point of a control instrument to a higher or lower value automatically.

"R-value" shall mean the measure of the resistance of a material or building component to the passage of heat. R-value is measured in the United States customary units based upon square feet x hour x degree Fahrenheit, divided by Btus.

"Service hot water" shall mean the supply of hot water for domestic or commercial purposes other than comfort heating.

"Simple economic payback" shall mean the time needed to recover a conservation investment on the basis of expected energy savings at current energy costs. Simple economic payback is expressed in years, and is calculated by dividing the established contractor's cost of a conservation measure by the estimated dollar savings in the first year. Available tax credits, incentives, and future energy costs are not considered in the calculation.

"Transfer of title" shall mean the conveyance of title to real property by one or more persons as a result of sale or exchange, and include the execution of a real property sales contract as defined in Section 2985 of the California Civil Code and any change of ownership described in subdivisions (c) and (h) of Section 61 and subdivision (c) of Section 64 of the Revenue and Taxation Code.

"Unsafe asbestos" shall mean asbestos that poses a hazard

to humans due to its friable state. Asbestos is friable when, in a dry state, it may be crumbled, pulverized or reduced to powder by hand pressure.

"Zone" shall mean a space or group of spaces within a building with heating and/or cooling requirements sufficiently similar so that comfort conditions can be maintained throughout by a single controlling device.

CITY-WIDE EDUCATIONAL PROGRAM

SEC. 5305. For purposes of encouraging the voluntary installation of cost-effective energy conservation measures in commercial property, the City and County of San Francisco, through the Public Utilities Commission's Bureau of Energy Conservation, shall sponsor an educational campaign targeted at building owners and tenants to provide information on the economic benefits of building energy retrofit. This educational campaign shall provide, among other things, information on available tax benefits, sources of financing and incentives, area contractors and suppliers to complete the work, and no cost operations and maintenance measures which reduce energy costs.

ADMINISTRATION

ADMINISTRATION

SEC. 5310. The lead agency for administration of this ordinance shall be the Department of Public Works, Bureau of Building Inspection, through its Housing Inspection Division, who shall be responsible for developing all rules, guidelines, and procedures necessary to successfully carry out this ordinance. The Public Utilities Commission's Bureau of Energy Conservation

shall serve in an advisory role to the Bureau of Building Inspection in the development of such rules, guidelines and procedures and in the general administration of this ordinance.

RULES AND GUIDELINES

SEC. 5311. (a) The Superintendent, in cooperation with the Director of the Public Utilities Commission's Bureau of Energy Conservation and other advisors as the Superintendent may deem appropriate, shall adopt reasonable rules and guidelines implementing the provisions and intent of this chapter before the operative date of this chapter and shall make them available to the public along with the informational brochure provided pursuant to Section 5324.

The Superintendent, in cooperation with the Bureau of Energy Conservation and the Mayor's Energy Management Committee, may amend these rules and guidelines from time to time and shall consider public input prior to the adoption or amendment of such rules and guidelines. Public input shall be provided through the Mayor's Energy Management Committee which will hold a public hearing and accept written comments pertaining to proposed amendments of rules and guidelines.

(b) In developing such rules and guidelines, the Superintendent shall consider state and nationally recognized and accepted standards for commercial energy conservation with the purpose of coordinating local rules and guidelines with them. Additionally, the Superintendent shall consider the cost-effectiveness of any proposed energy conservation measure. Such rules and guidelines may relate, but are not limited to:

1. Acceptable energy conservation materials and devices;
2. Acceptable installation, operation and maintenance

practices;

3. Conservation measures that are not applicable to a particular building type or occupancy. In making such a rule, the Superintendent shall consider the cost-effectiveness of the energy conservation measure for the particular building type or occupancy;

4. Procedures for obtaining an exemption from this chapter pursuant to Section 5321;

5. Guidelines for acceptable HVAC conservation surveys;

6. Guidelines for acceptable lighting conservation surveys;

7. Processing of appeals;

8. Method for determining cost-effectiveness of energy conservation measures;

9. Calculation of expenditures for energy conservation measures and the maximum expenditure limit, including a schedule specifying the maximum engineering fees allowed for construction projects;

10. Payment of fees;

11. Inspection procedures. In making such a rule, the Superintendent shall consider reasonable and low cost inspection methods especially for determining if equipment is non-functional, dysfunctional or disconnected;

12. Qualifications of hearing officers and authorized energy inspectors. In specifying qualifications, the Superintendent shall consider, but not be limited to, the following:

(A) A minimum amount of experience in successfully assisting businesses, or government agencies in the field of commercial energy inspection;

(B) Recommendations from professional associations;

(C) Skills or expertise that represent an area of specialty within a field, such as energy auditor, electrical engineer, mechanical engineer, civil engineer or stationary engineer, for which the State now offers a certification, licensing, or registration process;

(D) Pertinent specialized certification, licensing or registration programs offered by educational institutions, professional associations or other private sector organizations;

(E) Level of training, experience and knowledge for hearing officers, that is above the minimum standards for inspectors, to enable hearing officers to review energy inspection results and determine whether energy conservation measures are cost-effective;

13. Insurance and/or bonding requirements for private inspectors in an amount sufficient to demonstrate financial responsibility;

14. Procedures for revocation of an authorization to conduct private energy inspections where the Superintendent determines that the inspector is incompetent, arbitrary or capricious in conducting inspections.

(c) The Superintendent shall prepare an Inspector's Manual for all commercial energy inspectors that is comprehensive in its coverage of this chapter's provisions, regulations, obligations and liabilities of inspectors. The manual shall also contain forms to be used to comply with the requirements of this chapter.

OPERATIVE DATE

SEC. 5312. In order to allow adequate time to develop

rules and guidelines and to prepare for implementation, the provisions of this ordinance shall go into operation one (1) year from its effective date; provided, however, that this ordinance shall not go into operation until a fee ordinance is adopted and goes into effect.

Property transactions for which an escrow agreement was initiated and occupancy permits or additions or alteration for which a permit was issued prior to the operative date of the provisions of this ordinance shall be exempt from the requirements of this ordinance.

ORDINANCE REVIEW

SEC. 5313. The Superintendent and the Mayor's Energy Management Committee shall jointly hold a public hearing and accept written comments one year after all provisions of this ordinance have become operative for the purpose of reviewing the provisions and operation of this ordinance. This committee, with the assistance of the Bureau of Energy Conservation, shall prepare a report of its findings and recommendations for the Superintendent, who, based on this report, shall consider amending the rules and guidelines implementing this ordinance.

This ordinance review procedure shall be repeated during the fourth and seventh years following the operative date of this ordinance.

CIVIL REMEDIES

SEC. 5314. (a) Abatement. A commercial building shall constitute a nuisance under the terms of Section 203 of this code when it is maintained in violation of any of the following requirements:

1. The installation of an energy conservation measure in a commercial building is required pursuant to this chapter and the energy conservation measure has not been installed within the time allowed for compliance under Section 5321 of this chapter; or,

2. There has been no energy inspection within one hundred and eighty (180) days from the date the commercial building was first required to comply with the provisions of this chapter.

The nuisance shall be abated by civil action pursuant to procedures set forth in Section 203 of this code for unsafe buildings; provided, however, that in no event shall any violation constitute a misdemeanor.

(b) Title Transfer. No transfer subject to this chapter shall be invalidated solely because of the failure of any person to comply with any provision of this chapter. However, any person who willfully or negligently violates or fails to perform any duty prescribed by any provision of this chapter shall be liable in the amount of actual damages suffered by a plaintiff. Except as otherwise provided in Section 5324, the buyer may institute a civil action to require compliance with the requirements of this chapter whenever an inspection and installation of conservation measures required pursuant to this chapter as a result of a title transfer was not done. In addition to the cost of compliance with this chapter, the plaintiff shall be entitled to court fees and attorney fees necessary to bring about compliance with the chapter.

REQUIREMENTS

SEC. 5320. (a) Transfer of Title.

Requirements: The seller shall obtain a valid energy inspection and shall comply with the applicable energy conservation standards required by this chapter prior to any transfer of title of any commercial building, or portion thereof, subject to the provisions of this chapter.

The seller must furnish a copy of the completed inspection form showing compliance with this chapter to the buyer prior to transfer of title.

Scope: This chapter shall apply to the entire portion of the commercial building that is transferred.

(b) Building Additions.

Requirements: For building additions where the sum of concurrent building permits by the same permit applicant would increase the floor area of the space in a building by more than 10 percent, the permit applicant shall obtain a valid energy inspection and shall comply with the applicable energy conservation standards required by this chapter as a condition for issuance of a Certificate of Completion and Occupancy by the Bureau of Building Inspection upon completion of the addition.

Scope: This chapter shall apply to the entire building.

(c) Building Alterations and Improvements.

Requirements: For alterations or improvements where the total construction cost estimated in the building permit is greater than $50,000, the permit applicant shall obtain a valid energy inspection and shall install the applicable energy conservation measures required by this chapter as a condition for

issuance of a Certificate of Completion and Occupancy by the Bureau of Building Inspection upon completion of the alterations or improvements.

Scope: This chapter shall apply to the entire building.

Exception: Where the sum of all building areas being altered pursuant to concurrent building permits in the same building issued to the permit applicant is less than 40 percent of the total building floor area, this chapter shall apply to all mechanical equipment that serve the building area(s) being improved, including the lighting, water heating and HVAC system.

TIME ALLOWED FOR COMPLIANCE

SEC. 5321. (a) The seller, buyer or permit applicant of a commercial building shall comply with all applicable energy conservation standards required by this chapter and file a completed certificate of compliance pursuant to Section 5331 within the following time periods:

1. The seller or permit applicant: within one hundred and eighty (180) days from the date of the energy inspection.

2. The buyer of a commercial building who has taken on responsibility for compliance with this chapter pursuant to Section 5324: within one hundred and eighty (180) days from the date of transfer of title.

(b) The Superintendent may grant a time extension for complying with the requirements of this chapter not to exceed the time limit for work being performed under a building permit where:

1. The permit is for work required by this chapter; or

2. The permit is for construction activity that:

(A) will take place in the area of the building

subject to the energy conservation requirements of this chapter; and

(B) includes the work required by this chapter.

The time extension granted by the Superintendent shall be a one time only, non-renewable extension.

(c) The Director of Public Works may grant a time extension for complying with the requirements of this chapter when the permit is for construction activity pursuant to Section 203 of this code.

GENERAL AND LIMITED EXEMPTIONS

SEC. 5322. (a) The Superintendent may make a determination that a seller or permit applicant is exempted from complying with the energy conservation requirements of this chapter pursuant to subsections (b) or (c) of this section. The determination shall be in writing, stating the grounds for the exemption, and be available for public review.

(b) General Exemptions. No energy inspection and consequent installation of energy conservation measures shall be required for any portion of a building when one of the following apply:

1. A certificate of compliance with the energy conservation requirements of this chapter has been filed with the Bureau of Building Inspection and recorded at the Recorder's Office of the City and County of San Francisco pursuant to Section 5331 of this chapter. This exemption applies only to that portion of the building for which the Certificate of Compliance was issued and only if the Certificate of Compliance has been filed within the past 10 years;

2. A permit for the construction of that portion of the

building was applied for after July 1, 1978 for occupancies A, B, E, and H and the construction complied with all required State of California Energy Efficiency Standards during initial construction or improvement;

3. The Superintendent determines that the designed energy consumption of that portion of the building is less than or equal to the applicable energy budget for new construction specified for that occupancy in Title 24, California Administrative Code, Part 2, Sections 2-5322 or 2-5341. The building owner or permit applicant shall submit documentation using an approved calculation method;

4. No energy for space heating, space cooling, water heating, or lighting in that portion of the building is derived from electricity or fossil fuels;

5. The building permit is for emergency repairs and structural work, e.g. repair of damage caused by flood or fire;

6. Less than ten percent (10%) of the total construction cost of the alteration is for electrical, plumbing or load-bearing structural work. The total construction cost shall include the costs associated with all building, electrical and plumbing permits necessitated by the alteration;

7. For the twelve (12) month period before the filing of the application for a building permit or a transfer of title, the total cost of energy for the space in that portion of the building subject to the energy conservation requirements of this chapter was less than $2,000, or the total non-renewable building energy use for the space was equal to or less than 15,000 Btus per square foot of conditioned floor space. If the proposed occupancy of the portion of the building subject to the energy conservation requirements of this chapter will foreseeably result

in significantly different energy use for the next twelve (12) months than that for the previous twelve months, projected building energy use shall be used for this calculation. Energy use shall be documented in a format to be prescribed by the Superintendent;

8. The Superintendent determines that the building has been previously improved and maintained to high standards of energy efficiency. Such a determination shall reference specific building permits for improvements on file with the Bureau of Building Inspection;

9. The Superintendent may, on a case by case basis, exempt a building from the energy conservation requirements imposed by this chapter upon a determination by the Superintendent that: 1) application of these requirements to that building would not be cost-effective; or 2) the building owner has demonstrated that imposition of these requirements would cause him or her severe financial hardship. The building owner or permit applicant shall submit documentation in a format to be prescribed by the Superintendent.

(c) Limited Exemptions. Installation of particular energy conservation measures shall not be required when:

1. The Superintendent has determined, pursuant to Section 5332, that, for a particular building or portion of a building, an energy conservation measure would not be cost-effective;

2. The Superintendent has determined, pursuant to a rule or guideline promulgated pursuant to Section 5311, that a particular energy conservation measure is not applicable for that building occupancy group or building type;

3. The Superintendent, as advised by the Department of City Planning, has determined that compliance with specific

energy conservation requirements of this chapter would violate provisions of applicable historical preservation codes and/or would significantly detract from the building as a historical resource. This exemption applies only to a qualified historical building. For the purposes of this chapter, a qualified historical building or structure is any structure, collection of structures, and their associated sites deemed of importance to the history, architecture, or culture of an area by an appropriate local or state governmental jurisdiction. This shall include structures on existing or future national, state or local historical registers or official inventories, such as the National Register of Historic Places, State Historical Landmarks, State Points of Historical Interest, and City and County registers of inventories of historical or architecturally significant sites, places, historic districts, or landmarks. The intent of this exemption is only to exempt particular measures determined by the Superintendent to have a negative impact on the historical resource rather than to exempt the building in its entirety.

TITLE TRANSFER EXEMPTIONS

SEC. 5323. The provisions of this chapter shall not apply to the following title transfers of a commercial building:

(a) Transfers pursuant to court order, including, but not limited to, transfers ordered by probate court in administration of an estate, transfers pursuant to a writ of execution, transfers by any foreclosure sale, transfers by a trustee in bankruptcy, and transfers by eminent domain;

(b) Transfers to a mortgagee by a mortgagor or successor in interest who is in default, transfers to a beneficiary of a

deed of trust by a trustor or successor in interest who is in default, transfers by any foreclosure sale after default in an obligation secured by a mortgage, transfers by a sale under a power of sale or any foreclosure sale under a decree of foreclosure after default in an obligation secured by a deed of trust or secured by any other instrument containing a power of sale or transfers by a mortgagee or a beneficiary under a deed of trust who has acquired the real property at a sale conducted pursuant to a power of sale under a mortgage or deed of trust or a sale pursuant to a decree of foreclosure or has acquired the real property by a deed in lieu of foreclosure;

(c) Transfers by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;

(d) Transfers from one co-owner to one or more co-owners;

(e) Transfers made to a spouse, or to a person or persons in the lineal line of consanguinity of one or more of the transferors;

(f) Transfers between spouses resulting from a decree of dissolution of a marriage or a decree of legal separation or from a property settlement agreement incidental to such a decree;

(g) Transfers by the State Controller in the course of administering the Unclaimed Property Law, Chapter 7 (commencing with Section 1500) of Title 10 of Part 3 of the Code of Civil Procedure;

(h) Transfers under the provisions of Chapter 7 (commencing with Section 3691) or Chapter 8 (commencing with Section 3771) of Part 6 of Division 1 of the Revenue and Taxation Code;

(i) Transfers by which title to real property is

reconveyed pursuant to a deed of trust;

(j) Transfers for which a transfer agreement was entered into prior to the operative date of this chapter.

TRANSFER OF COMPLIANCE RESPONSIBILITY TO BUYER

SEC. 5324. The seller may transfer to the buyer of the building responsibility for compliance with the minimum energy conservation measures of Sections 5340 to 5346 if, at the time of transfer of title, the requirements of either subsection (a) or subsection (b) of this section have been met.

(a) Escrow Account Procedure

1. An energy inspector shall make an energy inspection. The seller or the seller's authorized agent shall file the energy inspection form with the Bureau of Building Inspection along with a written statement indicating that an escrow account has been set up pursuant to this section and giving the escrow holder's name and address and the escrow number; and,

2. a written agreement signed by the buyer and seller shall be deposited into the escrow containing the following:

(A) the buyer's agreement that the required energy conservation measures will be installed, and the certificate of compliance filed with the Bureau of Building Inspection, within the time allowed for compliance under Section 5321;

(B) the seller's agreement that funds equal to one percent (1%) of the purchase price indicated on the accepted purchase offer or $150,000, whichever is less, shall be retained by the escrow holder and disbursed as follows:

(i) upon delivery to the escrow holder of a copy of

the completed certificate of compliance with this chapter as filed with the Bureau of Building Inspection within the time allowed for compliance under Section 5321, the escrow holder shall, upon written instructions of the buyer, disburse to the buyer so much of these funds as are required to pay the provider(s) of the materials and labor used to bring the property into compliance with the provisions of this chapter and shall disburse the surplus thereafter remaining to the seller;

(ii) if such certificate of compliance is not delivered to the escrow holder within the time allowed for compliance under Section 5321, the escrow holder shall deposit all said funds into the Commercial Energy Conservation Account of the Repair and Demolition Fund of the City and County of San Francisco established pursuant to Section 203(1) of this code to be used exclusively to defray the cost of the materials, labor and administrative fees necessary to bring the building into compliance with the provisions of this chapter, with any surplus funds to be returned to the seller once compliance is achieved. No funds shall be deposited in the Commercial Energy Conservation Account under this subsection so long as an appeal is pending or an extension has been granted pursuant to Section 5326 of this chapter with regard to that building.

(b) Filing of Written Agreement

An energy inspector shall make an energy inspection. The seller or the seller's authorized agent shall file the energy inspection form with the Bureau of Building Inspection along with a written agreement signed by the buyer and seller whereby the

buyer agrees that the required energy conservation measures will be installed within the time allowed for compliance under Section 5321 and a certificate of compliance will be filed pursuant to Section 5331(c).

NOTICE OF THIS ORDINANCE UPON RESALE

SEC. 5325. The seller, or the seller's authorized agent involved in the sale or exchange of commercial property subject to the provisions of this ordinance, shall give written notice of the requirements of this ordinance to the buyer. Prior to the operative date of this ordinance, the Bureau of Building Inspection shall make available to the public an informational brochure specifying the energy conservation requirements. Delivery of this brochure by the seller or the seller's agent to the buyer shall satisfy the notice requirements of this section. Failure to give notice as required by this section shall not excuse or exempt the seller or buyer of commercial property from compliance with the requirements of this ordinance.

POSTPONEMENT OF REQUIREMENTS

SEC. 5326. The duty of a seller, buyer or permit applicant to comply with inspection and energy conservation requirements applicable to any portion of a building subject to this chapter shall be postponed for one year from the date of issuance of a demolition permit for said building. If the building is demolished and a Certificate of Completion is issued by the Bureau of Building Inspection before the end of the one-year postponement, the requirements of this chapter shall not apply. If the building is not demolished after the expiration of one year, the provisions of the chapter shall apply, subject to

appeal, even though the demolition permit is still in effect or a new demolition permit has been issued.

LIMITATION OF EXPENDITURES

SEC. 5327. (a) Subject to the provisions of this section, in no case shall any building owner or permit applicant be required to spend more than the following amounts to comply with the energy conservation measures required by this chapter:

1. Transfer of title: one percent (1%) of the consideration given for the property, or one percent of the assessed value prior to sale, or $150,000, whichever is the least;

2. Major building addition which increases the conditioned floor space by more than ten percent (10%): five percent (5%) of the total construction cost of concurrent building permits in the same building by the same permit applicant, or one percent (1%) of the assessed value of the building prior to improvement, whichever is less;

3. Building alteration or improvement where the total construction cost estimated in the building permit is greater than $50,000: five percent (5%) of the sum of all construction costs associated with concurrent building permits in the same building by the same permit applicant or one percent (1%) of the assessed value of the building prior to improvement, whichever is less.

(b) The building owner or permit applicant must install any combination of required energy conservation measures which provides the greatest energy conservation, as approved by the Superintendent, not exceeding the aforementioned cost limitations.

(c) Where more than one of the conditions, as specified in Section 5320, would cause the application of this chapter, the

corresponding cost limitation that would result in the greatest energy conservation shall be applied.

EARLY COMPLIANCE WITH ENERGY CONSERVATION STANDARDS

SEC. 5328. To encourage early compliance with this chapter, a valid energy inspection form may be voluntarily filed with the Bureau of Building Inspection at any time before this chapter would otherwise be applied due to building resale, addition or renovation. A certificate of compliance for the property may be obtained pursuant to Section 5331 of this chapter.

If the installation of energy conservation measures becomes mandatory for the entire building, pursuant to Section 5320, before the voluntary proof of compliance is filed, then no additional initial inspection shall be required. The cost of all work performed hitherto to meet the requirements of this chapter may be applied toward the applicable limitation of expenditures in Section 5327.

If mandatory compliance with the energy conservation standards of this chapter becomes applicable to only a portion of the building before a voluntary proof of compliance is filed, then an initial inspection of that portion shall be required to determine which energy conservation measures are applicable, pursuant to Section 5320(c). The cost of all work performed to meet the requirements of this chapter for this portion of the building may be applied later toward the limitation of expenditure for the building as a whole.

INSPECTIONS, APPEALS AND FEES

ENERGY INSPECTIONS

SEC. 5330. (a) Energy inspections to determine compliance or noncompliance with the energy conservation requirements of this chapter may be conducted by one of the following:

1. an authorized inspector of the Bureau of Building Inspection;

2. a private energy inspector authorized by the Superintendent pursuant to rules and guidelines established pursuant to Section 5311 of this chapter;

3. a private energy inspector hired by the Department of Public Works on a contractual basis under terms and fees to be recommended by the Department of Public Works and established by the Board of Supervisors.

(b) The duties of an energy inspector shall be as follows:

1. To inspect portions of a building that are subject to this chapter to determine whether the energy conservation standards specified in Sections 5340 to 5346 have been met, and if met, to sign a certificate of compliance, pursuant to Section 5331, and provide it to the permit applicant, building owner, or owner's agent;

2. To record on an official inspection form, pursuant to Section 5331, all measures required by this chapter for which the building is in noncompliance, and to sign the inspection form and provide it to the permit applicant, building owner, or owner's agent.

(c) Private energy inspectors shall be required to demonstrate financial responsibility by being insured and/or bonded in amounts to be determined by the Superintendent in rules

and guidelines promulgated pursuant to Section 5311.

(d) No authorized energy inspector may conduct an energy inspection on any building in which that inspector has a financial interest. For the purposes of this section, an inspector shall be deemed to have a financial interest in a building if the inspector:

1. Is an owner of the building or the property upon which the building is located in full or in part;

2. Is a full or part-time employee of the building or its owners;

3. Is regularly placed on the building staff by a company that provides building engineering, operations and maintenance, or other building services to the property.

(e) No energy inspector may sign a certificate of compliance for a building where that inspector is an employee or officer of a company that performed construction or repair work required by this chapter.

(f) Energy inspections are intended to enforce the provisions of this chapter only, and are not intended to determine compliance or noncompliance with any other portions of this code.

PROOF OF COMPLIANCE WITH ENERGY CONSERVATION STANDARDS

SEC. 5331. (a) Contents. The Bureau of Building Inspection shall provide standardized forms suitable for conducting a valid energy inspection, conducting informational HVAC and lighting surveys, and certifying compliance with the required energy conservation measures. The Public Utilities Commission's Bureau of Energy Conservation shall assist in the preparation and review of these forms.

(b) Inspection Form. Only an energy inspector authorized pursuant to Section 5330 may complete and sign the inspection form and, if applicable, the informational HVAC and/or lighting surveys. The inspector shall furnish the completed and signed form(s) to the permit applicant, building owner or the owner's authorized agent, who shall file a copy of the form(s) with the Bureau of Building Inspection within fifteen (15) days from the date the inspection was completed.

(c) Certificate of Compliance. When all of the energy conservation requirements have been met, the permit applicant, the building owner or the owner's authorized agent shall sign the certificate of compliance. One of the following persons shall also sign the certificate of compliance:

1. An energy inspector authorized pursuant to Section 5330; or

2. An authorized agent of the Bureau of Building Inspection.

(d) Filing and Recording. The permit applicant, the building owner or the owner's authorized agent shall return a copy of the completed certificate of compliance to the Bureau of Building Inspection which shall be maintained in their records. The permit applicant, building owner or building owner's authorized agent shall record a copy of the completed certificate of compliance with the San Francisco County Recorder's Office. In the event of a title transfer, the building owner or the building owner's authorized agent shall record a copy of the completed certificate of compliance with the San Francisco County Recorder's Office within 180 days from the date of transfer of title.

(e) Public Records. Completed energy inspection forms,

informational surveys and certificates of compliance shall be public records and any person may inspect them during regular business hours at the Bureau of Building Inspection.

APPEALS FROM RESULTS OF AN ENERGY INSPECTION

SEC. 5332. Any person with an interest in the property subject to an energy inspection who contests the determination of an energy inspector regarding required energy conservation measures, or who claims that the application of a required energy conservation measure is not cost-effective may appeal said decision to the Superintendent within twenty (20) working days from the date the completed inspection form was filed with the Bureau of Building Inspection. The notice of appeal shall state, clearly and concisely, the grounds upon which the appeal is based. The burden of proof shall be on the applicant to demonstrate that the energy conservation measure is not required under this chapter or that it is not cost-effective based upon the measure(s) having a simple economic payback exceeding four (4) years or the expected life of the measure, whichever is shorter.

The applicant may appeal the Superintendent's decision to a hearing officer or the Abatement Appeals Board within ten (10) working days from the date that said decision was issued. The hearing officer shall be appointed by the Superintendent. The determination of the hearing officer or Abatement Appeals Board shall be final.

The Superintendent, in conjunction with the Public Utility Commission's Bureau of Energy Conservation, shall develop clear rules and procedures for submitting and processing appeals and the rules set forth in Section 203(t) of this code shall not be

applicable to these appeals. Any person filing an appeal pursuant to this section shall pay a filing fee.

FEES

SEC. 5333. The Board of Supervisors shall establish reasonable fees, upon recommendation by the Director of the Department of Public Works, to pay for, but not exceed, the costs of implementing this chapter. The fees shall include:

(a) The cost of any energy inspection performed by an authorized inspector of the Bureau of Building Inspection or its contractor;

(b) The cost of the appeal process;

(c) The cost of filing and processing documents at the Bureau of Building Inspection;

(d) The cost of printing forms and informational brochures by the Bureau of Building Inspection;

(e) The cost of enforcing this chapter;

(f) Other expenses incurred by the City and County of San Francisco in implementing this chapter.

STANDARDS

REQUIRED ENERGY CONSERVATION MEASURES

SEC. 5340. (a) All commercial buildings that are subject to this chapter shall comply with the energy conservation measures contained in Sections 5341 to 5346, unless:

1. the Superintendent determines, pursuant to Section 5321 (General and Limited Exemptions) or Section 5332 (Appeals), that these provisions do not apply;

2. the Superintendent determines, in reviewing an energy

inspection, that particular measures are already installed and functioning properly;

3. the Superintendent determines, pursuant to Section 5326 (Limitation of Expenditures), that the building owner or permit applicant has reached the maximum expenditure cost limit.

(b) The permit applicant shall obtain all required building permits and comply with all applicable code provisions in performing the work required under this chapter.

(c) The required energy conservation measures fall within the following categories:

1. Heating, ventilating and air conditioning measures;
2. Service hot water measures;
3. Lighting system measures;
4. Commercial refrigeration measures;
5. Motor-driven equipment measures;
6. Swimming pool and spa measures.

HEATING, VENTILATING AND AIR CONDITIONING (HVAC) MEASURES.

SEC. 5341. HVAC systems shall be operated and maintained in an efficient manner and shall include appropriate cost-effective controls, sensors, and devices to reduce energy use to the minimum required to maintain occupant comfort. Any part of an HVAC system that does not function properly shall be repaired or replaced so that it meets the requirements of this chapter. Specifically required measures are set forth in the following sections.

SEC. 5341.1. Thermostatic Control

All existing non-functioning thermostats shall be repaired or replaced. Conditioned building spaces or zones under thermostatic control shall be equipped with automatic controls

that automatically eliminate or reduce space conditioning needs during a 7-day, 24-hour per day cycle. Examples of automatic control devices include 7-day timeclocks, set-back thermostats and computerized energy management controls.

SEC. 5341.2. Reset Control For Supply Air Temperature

Any constant air volume HVAC system serving more than one zone shall be provided with the necessary controls to automatically reset the supply air temperature. Reset shall be based on one of the following:

(a) outside air temperature;

(b) return air temperature; or

(c) solar insulation.

HVAC systems that already have controls to reset supply air temperature, including worst zone reset controls, have satisfied this requirement. It is not the intent of this measure, however, to require the installation of worst zone reset controls.

SEC. 5341.3. Outside Air Economizer Cycle

Each cooling fan system capable of more than 15 tons total cooling or more than 5,000 cubic feet per minute air volume, shall be equipped with an economizer cycle that uses up to 100 percent of the fan system capacity for cooling with outdoor air whenever cooling is needed and the outdoor dry bulb temperature is lower than that of the return or indoor air.

The capability to cool with 100 percent outdoor air is not required under any of the following conditions:

(a) Buildings or special uses requiring 100 percent outside air for ventilation;

(b) The existing HVAC system has been previously equipped with a functioning water economizer. It is not the intent of this measure, however, to require installation of water

economizers;

(c) The existing HVAC system does not have outside air intake (e.g. fan convector and fan coil systems);

(d) The need for humidification, dehumidification, or other special indoor air conditions, requires the use of more energy than is conserved by outdoor air cooling;

(e) There is insufficient space in which to install the necessary equipment, ducts or shafts to provide 100 percent outdoor air cooling capacity without significant structural alteration. In such cases, the system shall be retrofitted to provide the maximum feasible outdoor air cooling capacity;

(f) Installation of an air economizer would require major modifications to the building's Life-Safety System, as determined by the guidelines promulgated by the Superintendent pursuant to Section 5311.

SEC. 5341.4. Ventilation Fan Controls

Ventilation fan motors serving constant air volume HVAC systems shall be equipped with either timeclocks, multiple speed, or variable speed controls to allow fan motors to be shut down, cycled, or reduced in speed during the night or during unoccupied building hours or in unoccupied zones. In buildings where ventilation fans are connected with a building's fire panel, the fire panel shall be capable of overriding the controls required by this chapter. Ventilation fans serving buildings or zones occupied 24 hours per day shall be exempt from this requirement.

SEC. 5341.5. Repair of Air Ducts

Air leaks on accessible air supply ducts shall be sealed in accordance with guidelines established by the Superintendent pursuant to Section 5311. It is not the intent of this section to require the sealing of air duct leaks where Section 7058.5 of

the Business and Professions Code would require the work to be done by a contractor with a special asbestos certification. Visual or other inspection for asbestos shall be performed by an Environmental Protection Agency accredited inspector for asbestos.

SEC. 5341.6. Repair and Adjustment of Dampers

Outside air dampers, damper controls and linkages which are controlled by the HVAC shall be repaired as necessary and adjusted for proper operation and tight closure.

SEC. 5341.7. Insulation of Supply Air Ducts and Plenums

Uninsulated, accessible heating and cooling supply air system ducts, plenums and enclosures shall be insulated to a minimum resistance level of R-3. Duct insulation is not required in any of the following cases:

(a) The temperature differential between the air in the duct and the surrounding air is less than 15^0 F.;

(b) The heat gain or loss of the ducts, without insulation, will not increase the energy requirements of the building;

(c) The ducts are located within HVAC equipment;

(d) All exhaust air ducts;

(e) Section 7058.5 of the Business and Professions Code would require the work to be done by a contractor with a special asbestos certification. Visual or other inspection for asbestos shall be performed by an Environmental Protection Agency accredited inspector for asbestos.

SEC. 5341.8. Insulation of Pipes and Storage Tanks

(a) Accessible hot water, steam, steam condensate return piping, or chilled water piping throughout the structure, including pipework above suspended ceilings, shall be insulated in accordance with Title 24, California Administrative Code,

Section 2-5312 (see Title 24 Minimum Pipe Insulation Standards below). All hot water and chilled water storage tanks shall be insulated to a minimum resistance value of R-12.

(b) Piping insulation need not comply with Title 24, California Administrative Code, Section 2-5312 if:

1. Piping is installed within HVAC equipment;

2. Piping conveys fluids at temperatures between 60^0 F and 105^0 F; or

3. The heat loss or heat gain of the piping, without insulation, does not increase the energy requirements of the building;

4. Piping insulation provides a maximum heat loss of:

(A) 50 Btu per hour per linear foot, for piping of 2 inches nominal diameter or less;

(B) 100 Btu per hour per foot, for piping of more than 2 inches nominal diameter;

5. Prior to the energy inspection, the piping has been insulated. In this case, only the uninsulated portions of pipe need be insulated. All pipe insulation added shall be in accordance with Title 24, California Administrative Code, Section 5312;

6. Section 7058.5 of the Business and Professions Code would require the work to be done by a contractor with a special asbestos certification. Visual or other inspection for asbestos shall be performed by an Environmental Protection Agency accredited inspector for asbestos.

(c) Where efforts have been made to insulate the piping, then uninsulated pipe lengths of up to 1 foot shall be permitted.

SEC. 5341.9. Cleaning and Tuning of Furnaces

Furnace combustion units shall be checked for combustion

efficiency and cleaned and tuned to optimize operating efficiency. Air filters shall be inspected. Filters shall be replaced in accordance with manufacturer's recommendations to minimize energy lost to pressure drop. Equipment fan belts shall be inspected and, if needed, adjusted or replaced.

SEC. 5341.10. Cleaning and Tuning of Boilers

Boiler systems shall be cleaned and tuned to optimize operating efficiency unless the boiler has been cleaned and tuned within the last five (5) years and bears a tag so certifying issued by a utility inspector or contractor regularly engaged in the field of efficiency testing. The boiler shall be tested for combustion efficiency and appropriate cleaning and/or adjustments made to ensure peak combustion efficiency by a utility inspector or a contractor, who shall post a tag on or near the boiler stating that a combustion efficiency test has been performed and peak efficiency has been obtained through adjustment of the unit's controls and cleaning of heat exchanger surfaces and boiler tubes, where needed, and the date the test was performed. In addition, all boilers shall have the permit required by Section 315.1.E of this code.

SEC. 5341.11. Repair of Hot Water and Steam Leaks

All hot water and steam leaks shall be repaired, including, but not limited to replacement of defective steam traps, relief and vent valves.

SEC. 5341.12. Boiler Recirculation Pump Timeclock Controls

Boiler recirculation pumps shall be under automatic 7-day time clock control to turn off equipment during unoccupied building hours. Recirculation pumps shall be exempt from this requirement:

(a) When the majority of zones served by the boiler are

under setback thermostat control;

(b) When serving boilers which meet both of the following conditions:

1. According to manufacturer's specifications, the boiler must maintain constant water circulation; and

2. No auxiliary pump is present to maintain this flow in lieu of the recirculation pump.

SEC 5341.13. Additional Boiler Conservation Measures

Steam and hot water boiler systems serving building space conditioning needs shall include at least two (2) of the following measures to reduce energy consumption. All work shall be performed in accordance with Chapter 21 of the Uniform Mechanical Code and with manufacturer's recommendations.

(a) An outside air lockout thermostat to turn off all circulation pumps when outside air temperature is sufficiently high so that building should not require heating. Where the recirculation pump serves a boiler which, according to the manufacturer, must maintain constant water circulation, and where no auxiliary pump is present to maintain this circulation in lieu of the recirculation pump, then installation of this measure shall include installation of such an auxiliary pump.

(b) Reset control for all boilers and other hot water space heating systems. Reset may be based on building load or outside air temperature.

(c) Thermostatic valves installed and functional for at least 75 percent of the building zones supplied by the boiler.

(d) A motorized stack damper to reduce standby losses when boiler is not firing. The damper shall be installed in accordance with Section 2106(d) of the Uniform Mechanical Code. Installed damper mechanisms shall be designed to that, in the

event of failure, the damper fails in the open position.

(e) An automatic intermittent ignition device to replace continuously operating pilot lights.

(f) Installation of a heat exchanger for reclamation and recovery of a major portion of waste heat for the purpose of preheating either outside make-up air, return water, service hot water, a heat source for absorption chilling, or any other efficient use of recovered heat which reduces the overall consumption of energy in the building.

(g) Turbulators, as applicable in firetube boilers, where not prohibited by the manufacturer.

(h) Conversion of combustion units from natural draft atmospheric burners to forced air draft power burners.

Note: Buildings in which any two of the above boiler measures have been previously installed have satisfied this requirement.

SEC. 5341.14. Cleaning and Tuning of Chiller Systems

Chiller systems shall be inspected and adjusted for peak energy efficiency. Heat transfer surfaces in cooling towers, condensers and evaporators shall be inspected for excessive scale, dirt, corrosion or biological fouling and cleaned as necessary to improve energy efficiency. Chilled and condenser water temperature controls shall be inspected for proper operation. The chilled water temperature shall be set at the highest setting and the condenser water temperature set at the lowest setting that minimizes overall energy consumption while still meeting the building's cooling needs.

Chiller systems that have complete records of regular maintenance that show all of the above work has been performed within the past two years shall be exempt from this requirement.

SEC. 5341.15. Repair of Chilled Water Leaks

Accessible chilled water lines and equipment shall be inspected for leaks and repaired as necessary.

SEC. 5341.16. Timeclock Control of Chilled Water Pumps

Chilled water circulation pumps shall be under 7-day automatic timeclock control and set to turn off equipment during unoccupied building hours.

SEC. 5341.17. Reset Control for Chillers

Chillers shall be equipped with one of the following devices:

(a) A lockout thermostat to turn off the chiller when the outside air temperature is sufficiently low for the building not to require cooling; or,

(b) A chilled water reset control to automatically increase or decrease the chilled water temperature based on either outside air temperature or on the temperature difference between the supply and return chilled water temperatures.

SEC. 5341.18. Informational HVAC Survey Requirement

(a) Where the total building area subject to this chapter at any one time exceeds 20,000 square feet, a comprehensive HVAC conservation survey shall be required for HVAC systems serving those affected portions of the building. The purpose of this survey shall be to determine what additional HVAC conservation measures and control equipment may be cost-effective and thus prudent for building owners to install on a voluntary basis. HVAC surveys shall be conducted according to standards, and in a format, to be prescribed by the Superintendent of Building Inspection in guidelines issued pursuant to Section 5311. The HVAC surveys shall be performed by qualified HVAC professionals regularly engaged in the field of design or maintenance of HVAC

systems and/or the completion of HVAC conservation audits and analyses.

(b) HVAC surveys required by this section shall, at a minimum, contain the following elements:

1. A description of current HVAC system;

2. Recommendation of specific HVAC conservation measures determined to have an economic payback of up to 5 years based upon current energy costs and current building use. For each measure recommended, estimates of contractor installation costs and estimated dollar savings shall be provided. Specific areas of analysis shall include, but not be limited to:

(A) Building operations and scheduling to reduce HVAC loads and recommendations regarding specific maintenance measures to be completed;

(B) Common control technologies as applicable to the existing HVAC system;

(C) Major HVAC system modifications such as replacement with more efficient equipment, re-zoning, conversion to variable air volume fan systems, waste heat recovery and thermal storage opportunities.

(c) Results of HVAC Survey

The person who did the informational HVAC survey required by this section shall provide a copy of the completed survey to the building owner, or the owner's agent, and any permit applicant subject to the requirements of this chapter. Prior to transfer of title of a building subject to the requirements of this section, the seller, or the seller's authorized agent, must furnish a copy of the completed HVAC survey to the buyer.

SERVICE HOT WATER SYSTEMS

SEC. 5342. General Requirements

Service hot water systems shall be operated and maintained in an efficient manner. Any part of a service hot water system that does not function properly shall be repaired or replaced so that it meets the requirements of this chapter. Specifically required measures are set forth in the following sections.

SEC. 5342.1. Hot Water Temperatures

In buildings where the majority of hot water usage is for restroom facilities and general cleaning purposes, the water temperature shall be set and maintained no higher than 110^0 F. at point of use. Where higher water temperatures are required, such as in dishwashing, the service hot water temperature shall be set and maintained at the lowest possible level necessary to satisfy the required hot water demand.

SEC. 5342.2. Insulation of Water Heaters and Storage Tanks

All accessible hot water heaters shall be equipped with an external insulation blanket with a minimum installed thermal resistance of R-6. Accessible unfired hot water storage tanks shall be insulated to a minimum thermal resistance of R-12. All accessible recirculating hot water piping, including piping above suspended ceilings, shall be insulated to a minimum resistance value of R-4. Piping need not be insulated if it meets any of the conditions listed in Section 5341(b).

SEC. 5342.3. Timeclock Control of Hot Water Recirculating Pumps

A 7-day automatic timeclock shall be installed to shut off the pumps of recirculating hot water system during unoccupied hours.

SEC. 5342.4. Low Volume Showerheads

Showerheads shall be of the low volume type having a maximum rated flow of not more than 3.0 gallons per minute. The showerhead shall be of a type certified by the California Energy Commission, pursuant to Title 24, California Administrative Code, Section 2-5314.

LIGHTING.

SEC. 5343. General Requirements

Lighting systems shall be operated and maintained in an efficient manner. Any part of a lighting system that does not function properly shall be repaired or replaced so that it meets the requirements of this chapter. Specifically required measures are set forth in the following sections.

SEC. 5343.1. Maximum Interior Lighting Load

(a) The maximum connected lighting load for all interior lighting shall not exceed four-thirds (133%) of the applicable lighting power density allowed under Title 24, California Administrative Code, Section 2-5342(d).

General lighting load shall be calculated pursuant to Title 24, California Administrative Code, Section 2-5342(d). Additional lighting power density allowances for automatic lighting controls, as permitted in Title 24, California Administrative Code, are explicitly included in this calculation.

(b) The following lighting systems are specifically exempt from this standard:

1. Portable or movable task lighting, including lighting whose primary purpose is for color accent or highlighting applications, such as art exhibits and display of merchandise in wholesale or retail sales;

2. Lighting in areas specifically designed for visually handicapped people, or for lighting for medical and dental purposes;

3. Stage lighting, entertainment or audiovisual system lighting.

(c) Areas of a building where the lighting system has complied with Title 24 lighting standards for new construction (24 California Administrative Code §2-5342(d)), shall be exempt from this requirement.

SEC. 5343.2. Walkway, Corridor and Parking Garage Lighting

Corridor, walkway, hallway, stairway and parking garage lighting shall not exceed four-thirds (133%) of the applicable lighting power density for hallways or parking garages allowed under Title 24, California Administrative Code.

Lamps within exit signs shall be of the lowest wattage possible that meets Section 3312 of this code and uses Underwriter Laboratory listed equipment.

Lighting normally in use less than three hours per day and power failure emergency lighting systems shall be exempt from this standard.

SEC. 5343.3. Exterior Lighting Systems

Exterior parking area, security area, and service area lumenaires shall have a high efficacy output of no less than 45 lumens per watt for all lamp-ballast combinations. Exterior lighting for facade or sign illumination shall be exempt from this standard.

SEC. 5343.4. Exterior Lighting Controls

Exterior lighting shall be controlled by any combination of an automatic photocell device, timeclock, or equivalent controls, designed to turn off lighting automatically during daylight hours

and times of non-use.

SEC. 5343.5. Informational Lighting Survey Requirement.

(a) Where the total building area subject to this chapter at any one time exceeds 20,000 square feet, a comprehensive informational lighting survey shall be required for interior lighting systems serving those affected portions of the building. The purpose of the survey shall be to determine what additional lighting conservation measures and control equipment may be cost-effective and thus prudent for building owners to install on a voluntary basis. Lighting surveys shall be conducted according to standards, and in a format, to be prescribed by the Superintendent of Building Inspection in guidelines pursuant to Section 5311. The lighting surveys shall be performed by qualified lighting professionals regularly engaged in the field of design and maintenance of lighting systems.

A building shall be deemed in compliance with this measure if a lighting survey, which meets the requirements of this section, has been performed for the building within the previous five years.

(b) The lighting survey required by this section shall, at a minimum, contain the following elements:

1. A description of the current lighting system(s), including currently installed lighting loads in all major building areas, fixture and lamp types in use, the existing lighting controls and the estimated annual operating cost of the lighting system;

2. Recommendation of specific lighting conservation measures determined to have an economic payback of up to 5 years based upon current energy costs and current building use. For

each measure recommended, estimates of contractor installation costs and estimated dollar savings shall be provided. Specific lighting load reduction measures include, but are not limited to:

(A) Manual switches to allow occupants to selectively switch off or reduce lighting;

(B) Automatic controls and devices such as occupancy sensors, manual or electronic timeclocks, and integrated energy management systems to automatically control lighting loads;

(C) Photocells and dimming controls to allow effective use of available daylight;

(D) Use of more efficient fixtures, ballasts and lamps, including the consideration of solid state ballasts, fixture de-lamping and the use of optical reflectors;

(E) Improved placement of lighting to match needs, including the use of task lighting coupled with a reduction in general area lighting;

(F) Development of a lighting maintenance program.

(c) Results of Informational Lighting Survey

The person who did the informational lighting survey required by this section shall provide a copy of the completed survey to the building owner, or the owner's agent, and any permit applicant subject to the requirements of this chapter. Prior to transfer of title of a building subject to the requirements of this section, the seller, or the seller's authorized agent, must furnish a copy of the completed lighting survey to the buyer.

COMMERCIAL REFRIGERATION EQUIPMENT

SEC. 5344. General Requirements

Commercial refrigeration equipment shall be operated and maintained in an efficient manner. Any part of a commercial refrigeration equipment that does not function properly shall be repaired or replaced so that it meets the requirements of this chapter. Specifically required measures are set forth in the following sections.

SEC. 5344.1. Cleaning and Tuning of Refrigeration Equipment

Commercial refrigeration equipment shall be cleaned and tuned as needed to ensure peak operating efficiency, including, but not limited to, cleaning of condenser coils and evaporators, replacement of defective or worn door gaskets and seals.

SEC. 5344.2. Thermal Doors and Curtains

Low temperature (-20^0 F to 23^0 F) and medium temperature (35^0 F to 50^0 F) commercial refrigeration cases with equipment in excess of 25,000 Btu/hr capacity, including walk-in refrigeration storage units, shall be equipped with doors, strip curtains, or other devices designed to reduce the heat gain in refrigerated enclosures. Subsequent to such a modification, the compressor system shall be modified, as appropriate, to compensate for the reduced cooling load. All modifications and adjustments to refrigeration equipment required under this section shall be performed by qualified refrigeration service personnel regularly engaged in the field of repair and servicing of refrigeration equipment.

MOTOR-DRIVEN EQUIPMENT

SEC. 5345. Repair of Air and Water Line Leaks

Accessible compressed air leaks in pneumatic systems and

water leaks in pumped water systems shall be repaired. Filters shall be inspected and replaced as needed. Belts or other coupling systems shall be inspected and repaired or replaced as needed.

SWIMMING POOLS AND SPAS

SEC. 5346. General Requirements

Swimming pools and spas shall be operated and maintained in an efficient manner. Any piece of equipment or mechanism used to meet the energy conservation standards set forth in the following sections that does not function properly shall be repaired or replaced so that it meets the requirements of this chapter. Specifically required measures are set forth in the following sections.

SEC. 5346.1. Swimming Pools and Spa Covers

Swimming pools and spas equipped with a fossil-fueled or electric heater shall be equipped with a cover designed to reduce heat losses to the surrounding air during unoccupied hours.

SEC. 5346.2. Timeclock Control of Circulation Pumps

7-day timeclocks shall be installed on swimming pool circulation pumps not so equipped by the manufacturer (unless the circulation pumps are necessary to operate an active solar pool heating system). The circulation pumps shall be set to run for the minimum time necessary to maintain the water in a clear and sanitary condition in keeping with applicable public health standards. Timeclocks shall not be required:

a. Where public health standards require 24-hour operation; or

b. Where the pool uses a diatomaceous earth filter system which requires constant flow to maintain water quality.

SEC. 5346.3. Cleaning and Tuning of Heaters

Fossil fuel fired pool and spa heaters shall be inspected, maintained and repaired as necessary to ensure the heater is functioning properly and efficiently. Inspections shall include locating and repairing leaks in hot water lines and valves, testing of thermostatic controls for proper operation, cleaning of burner, testing of burner combustion efficiency and examination of, and if necessary, removal of scale, soot and dirt from heat transfer surfaces.

BUILDING ENVELOPE

SEC. 5347. Ceiling Insulation

Buildings with three (3) or fewer stories shall have ceiling insulation to a minimum resistance level of R-19 over the entire accessible attic space provided that the existing ceiling insulation is less than R-11. Before insulation is installed in buildings not meeting this standard, dropped spaces in attic floors, such as those above stairwells, shall be sealed effectively to limit air infiltration. Installation of ceiling insulation shall conform with the requirements of Section 1705 of this code. Ceilings above unheated portions of the building are exempt from this requirement.

MISCELLANEOUS

SEC. 5350. Disclaimers.

(a) In undertaking this program of energy inspections, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach

of which it is liable in money damages to any person who claims that such breach proximately caused injury.

(b) Compliance with the requirements of this chapter does not relieve any person of compliance with any other applicable state, federal or local law.

SEVERABILITY

SEC. 5351. If any part or provision of this ordinance or the application thereof, to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end the provisions of this ordinance are severable.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

0088g/1-50

TABLE 2-53E

MINIMUM PIPE INSULATION

Piping System Types	Fluid Temperature Range, °F	Pipe Diameter (in inches): Runouts[1] Up to 2	1 and Less	Branches, Mains and Loops[2]: 1.25-2	2.50-4	5-6	8 and Larger
		Insulation Thickness[3] (in inches)					
SPACE HEATING AND WATER HEATING SYSTEMS							
Steam & Hot Water							
High Pressure/Temp	306-460	1.5	2.5	2.5	3.0	3.5	3.5
Medium Pres/Temp	251-305	1.5	2.0	2.5	2.5	3.0	3.0
Low Pressure/Temp	201-250	1.0	1.5	1.5	2.0	2.0	2.0
Low Temperature	105-200	0.5	1.0	1.0	1.5	1.5	1.5
Steam Condensate (for Feed Water)	Any	1.0	1.0	1.5	2.0	2.0	2.0
COOLING SYSTEMS							
Chilled Water	40-60	0.5	0.5	0.75	1.0	1.0	1.0
Refrigerant or Brine	Below 40	1.0	1.0	1.5	1.5	1.5	1.5

NOTES:

1. "Runouts" are piping that is 12 feet long or less and that is connected to fixtures or individual terminal units.

2. "Branches, Mains and Loops" are circulating piping and piping that is over 12 feet long or less and that is connected to fixtures or individual terminal units.

3. Insulation thickness in Table 2-53E is based on materials having thermal resistance in the range of R = 4.0 to 4.6 per inch. For materials with thermal resistance less than R = 4.0 per inch, the minimum insulation thickness shall be determined as follows:

$$\frac{4.0 \times \text{Table 2-53E Thickness}}{\text{Actual R}} = \text{New Minimum Thickness}$$

For materials with thermal resistance more than R = 4.6 per inch, the minimum insulation thickness shall be permitted to be reduced as follows:

$$\frac{4.6 \times \text{Table 2-53E Thickness}}{\text{Actual R}} = \text{New Minimum Thickness}$$

Board of Supervisors, San Francisco

Passed for Second Reading

May 16, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Nelder Silver Walker Ward

Noes: Supervisors Hsieh Molinari

Finally Passed

May 23, 1988

Ayes: Supervisors Gonzalez Hongisto Kennedy Maher Silver Walker Ward

Noes: Supervisors Hsieh Molinari

Absent: Supervisors Britt Nelder

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
114-88-4

JUN 2 1988
JUN -
Date Approved

Mayor

FILE NO. 45-88-26

ORDINANCE NO. 217-88

RO #7263

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF LARRY GARNER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $16,500.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled LARRY GARNER V. CITY AND COUNTY OF SAN FRANCISCO, et al., Superior Court No. 865-101 by the payment of $16,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS

RICHARD J. EVANS

APPROVED:

RUDY NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

JOHN FARRELL
Controller

01 001 97 09 90
309674 1450 $16,500.00
Funding subject to approval of Supplemental Request No. 115 RO #7247.

APR 20 1988

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JUL 6 1988
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-88-26

JUN 3 1988
Date Approved

Mayor

FILE NO. 52-88-2 ORDINANCE NO. 218-88

[Underground Utility Districts]

AMENDING ORDINANCE NO. 116-73 TO EXPAND UNDERGROUND DISTRICT NO. 303, RUSSIAN HILL AREA, PART II, BY ADDING CULEBRA TERRACE, SOUTH OF CHESTNUT STREET.

Note: Additions or substitutions are underlined; there are no deletions.

Be it ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 900 et seq., of Part II, Chapter X, Article 18 of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby amend Ordinance No. 116-73, creating Underground District No. 303, to read as follows:

UNDERGROUND DISTRICT NO. 303

(RUSSIAN HILL AREA, PART II)

Chestnut Street from the east side of Polk Street to the west side of Hyde Street, Francisco Street from the east side of Polk Street to the west side of Larkin Street, Larkin Street from the north side of Lombard Street to the south side of Bay Street. Culebra Terrace, south of Chestnut Street, all.

Section 2. The undergrounding of facilities within this underground district is in the general public interest because it will eliminate a heavy concentration of overhead distribution facilities, it is an area of scenic interest, and it is in response to a public petition.

/ / /

/ / /

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works Program.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

DESCRIPTION APPROVED:

Deputy Director to
Engineering and City Engineer

RECOMMENDED:

Director of Public Works
and Clean Water Program

Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 23, 1988	§	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	§	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	§	Absent: Supervisors Britt Maher

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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 52-88-2

JUN 3 1988
Date Approved

Mayor

FILE NO. 62-88-1 ORDINANCE NO. 219-88

(AIRPORT-CONCESSION LEASE)

APPROVING THE "FOREIGN CURRENCY EXCHANGE LEASE AT SAN FRANCISCO INTERNATIONAL AIRPORT" BETWEEN DEAK INTERNATIONAL LIMITED AND THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

SECTION 1: Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the "Foreign Currency Exchange Lease at San Francisco International Airport" between Deak International Limited and the City and County of San Francisco, acting by and through its Airports Commission. The Lease was awarded by Airports Commission Resolution No. 88-0053, adopted April 5, 1988.

APPROVED AS TO FORM:

LOUISE H. RENNE
CITY ATTORNEY

BY: _____
Airports General Counsel

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
62-88-1

JUN 3 1988
Date Approved

_____
Mayor

Amended in Cmte. 5/18/88.

FILE NO. 97-88-27 ORDINANCE NO. 220-88

[Narcotics Forfeiture and Asset Seizure Fund]

AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.117-54, ESTABLISHING A NARCOTICS FORFEITURE FUND, TO ALLOW THE RECEIPT OF MONEY OR TANGIBLE PROPERTY RESULTING FROM THE CITY'S PARTICIPATION IN THE SEIZURE AND FORFEITURE OF PROPERTY DISTRIBUTED UNDER STATE LAW.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10 of the San Francisco Administrative Code is hereby amended, by amending Section 10.117-54 to read as follows:

SEC. 10.117-54 NARCOTICS FORFEITURE AND ASSET SEIZURE FUND.

(a) Establishment of Fund. There is hereby established a special fund for the purposes of receiving money or tangible property which reflects the City and County's participation in acts leading to the seizure or forfeiture of property pursuant to 21 U.S.C. 881, and the seizure and forfeiture of property and/or property distributed to the San Francisco Police Department pursuant to Section 11470, et seq., of the Health and Safety Code of the State of California. Said special fund shall be known and designated as the Narcotics Forfeiture and Asset Seizure Fund. Subject to prior approval by the Mayor, the head of any law enforcement agency of the City and County is authorized to apply for and accept, on behalf of the City and County, any such money or property received from the federal government, or from any state or local government entity. Such money or property shall, consistent with federal and state guidelines, be used exclusively for law enforcement purposes to fund enforcement, training, prevention and prosecution programs related to, and to procure equipment to enhance the effectiveness of, the enforcement of narcotics laws.

(b) Expenditure of Monies. The monies in this Fund are hereby appropriated, and the use of tangible property shall be made, for the purposes enumerated in Subsection (a), consistent with any federal and state guidelines for their use, and subject to any restrictions placed on the funds by any agency of the federal or state government. Subject to prior approval by the Mayor, the head of any law enforcement agency of the City and County may disburse sums from this Fund. Quarterly reports reflecting the expenditures from this Fund shall be submitted to the Mayor and the Board of Supervisors. No expenditures in excess of $10,000 will be made from this Fund, with the exception of funds needed for criminal investigation services, without first receiving the approval, by ordinance, of the Board of Supervisors. No costs which may be incurred by any City department in administering this Fund shall be recovered therefrom.

5/18/88 BST

(c) Accumulation of Monies. The balance remaining in this Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Charter Section 6.306, and shall be carried forward and accumulated in said Fund for the purposes recited therein.

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APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 23, 1988	§	May 31, 1988
	§	
	§	
Ayes: Supervisors Gonzalez Hongisto	§	Ayes: Supervisors Gonzalez Hongisto
Hsieh Kennedy Maher Molinari	§	Hsieh Kennedy Molinari Nelder
Silver Walker Ward	§	Silver Walker Ward
	§	
Absent: Supervisors Britt Nelder	§	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-88-27

JUN 3 1988
Date Approved

Mayor

FILE NO. 101-87-82

ORDINANCE NO. 221-88

RO # 7250 SA # 75

(Government Funding)

APPROPRIATING $21,400 FOR CAPITAL IMPROVEMENT PROJECT (PALACE OF FINE ARTS WATER SUPPLY LINE) AND CERTIFYING $21,400 FROM CAPITAL IMPROVEMENT PROJECT (PALACE OF FINE ARTS WATER SUPPLY LINE) TO COVER OVERAGE ABOVE TEN PERCENT (10%) OF CONTRACTED AMOUNT PURSUANT TO PROVISIONS OF CHARTER SECTION 7.203, DEPARTMENT OF PUBLIC WORKS, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
06-515	Capital Project Fund Group-Recreation and Park		
90-06-00	Department of Public Works		
21-2030 (600551)	Capital Improvment Project		
Project 957-40	Palace of Fine Arts Water-Supply line	$21,400	
Project 957-40	Palace of Fine Arts Water-Supply line		$21,400
	Total	$21,400	$21,400

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

APR 12 1988

RECOMMENDED:

MAYOR

fh 1067M 4

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-87-82

JUN 3 1988
Date Approved

Mayor

FILE NO. 101-87-83

ORDINANCE NO. 222-88

RO# 7253 SA#105A

(Government Funding)

APPROPRIATING $10,490 FOR PROGRAM PROJECT BUDGET (NATIONAL ASSOCIATION OF MEDICAL EXAMINERS REVIEW) AND RESCINDING $10,490 FOR PERMANENT SALARIES, MEDICAL EXAMINER, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
74-00-00	Medical Examiner		
01-0010 (425531)	Permanent Salaries	$10,490	
20-2010 (424507)	Program Project Budget		
Project 079-01	National Association of Medical Examiners Review		
10-1267	Medical Service		$ 7,800
10-1365	Medical Supplies		400
10-1206	Travel		1,065
10-1233	Postage		600
10-1251	Subsistence - Persons		625
	Total	$10,490	$10,490

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

Funds Available Subject to Release by the Board of Supervisors' Finance Committee of $10,490 Reserved per Ordinance 51-88

By John C Farrell
CONTROLLER

APR 11 1988

RECOMMENDED:

[signature]
MAYOR

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Board of Supervisors, San Francisco

Passed for Second Reading
May 23, 1988

Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward

Absent: Supervisors Britt Nelder

Finally Passed
May 31, 1988

Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward

Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
CLERK

File No. 101-87-83

JUN 3 1988
Date Approved

[signature]
Mayor

Amended in Cmte. 5/18/88.

FILE NO. 101-87-85

ORDINANCE NO. 223-88

RO # 7247 SA #115

(Government Funding)

5/18/88 BST APPROPRIATING $1,797,395 ~~$2,000,000~~ FOR JUDGEMENT AND CLAIMS, GENERAL CITY RESPONSIBILITY - CONTROLLER, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
5/18/88 BST Subsidiary (000005)	Balance Budget Reserve	$1,797,395 ~~$2,000,000~~	
97-09-00	General City Responsibility-Controller		
14-1450 (309138)	Judgement and Claims		$1,797,395 ~~$2,000,000~~
	Total	$1,797,395 ~~$2,000,000~~	$1,797,395 ~~$2,000,000~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

APR 14 1988

RECOMMENDED:

[signature]
MAYOR

lp 1067M 1

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 23, 1988	§	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	§	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	§	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-87-85

JUN 3 1988
Date Approved

[signature]
Mayor

FILE NO. 101-87-86

ORDINANCE NO. 224-88

RO # 7260 SA #119

(Government Funding)

APPROPRIATING $125,870 FOR SERVICES OF OTHER DEPARTMENTS - CONTROLLER, (DATA PROCESSING), RECORDER, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-503	Special Revenue Fund Group-State Authorized Special Revenue Fund		
78-00-00	Recorder		
70-7015 (042093)	Recording Fees	$125,870	
21-2030 (810838)	Capital Project		
Project 008-01	Page-Recorders Moderization Fund		
30-3400	Services of Other Departments-Controller (Data Processing)		$125,870
	Total	$125,870	$125,870

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

APR 22 1988

RECOMMENDED:

MAYOR

lp-1067M-8

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Board of Supervisors, San Francisco

Passed for Second Reading

May 23, 1988

Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward

Absent: Supervisors Britt Nelder

Finally Passed

May 31, 1988

Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward

Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 101-87-86

JUN 3 1988
Date Approved

Mayor

FILE NO. 101-87-87

ORDINANCE NO. 225-88

R/O #7261
S.A. #139

(Government Fund)

APPROPRIATING $27,350 FOR CAPITAL IMPROVEMENT PROJECT (PROFESSIONAL - SPECIAL SERVICE CONTRACTS), PORT, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
34-505	San Francisco Harbor Fund Group -		
	Fire Insurance Proceeds		
39-90-01	Port Commission		
G.L. 490 (004788)	Unappropriated Revenues	$27,350	
21-2030 (590059)	Capital Improvement Project		
Project 604-01	Fire Insurance Pier 30/32		
10-1001	Professional - Special Service Contracts		$27,350
	Total	$27,350	$27,350

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C. Farrell
CONTROLLER

APR 22 1988

RECOMMENDED:

MAYOR

(1c1091M)

JUN 6 1988
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-87-87

JUN 3 1988
Date Approved

Mayor

Amended in Cmte. 5/18/88.

FILE NO. 101-87-88

ORDINANCE NO. 226-88

R/O #7262
S.A. #126

(Government Funding)

5/18/88 BST APPROPRIATING ~~$86,306~~ $78,300 FOR PERMANENT SALARIES, ADULT PROBATION, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
5/18/88 BST Subsidiary 000005	Balance Budget Reserve	$78,300 ~~$86,306~~	
13-00-00	Adult Probation		
01-0010 (320549)	Permanent Salaries		$78,300 ~~$86,306~~
	Total	$78,300 ~~$86,306~~	$78,300 ~~$86,306~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

APR 18 1988

RECOMMENDED:

[signature]
MAYOR

(jc1080M)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-87-88

JUN 3 1988
Date Approved

[signature]
Mayor

AMENDMENT OF THE WHOLE
5/12/88

FILE NO. 114-87-14

ORDINANCE NO. 227-88

(Change In Work Required By Board of Permit Appeals)

AMENDING PART II, CHAPTER 1, ARTICLE III OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY AMENDING SECTION 303(h) TO GOVERN CHANGES MADE TO APPROVED PERMITS WHICH ARE REQUIRED BY THE BOARD OF PERMIT APPEALS, AND BY AMENDING SECTIONS 307(c) and (g) TO REQUIRE CONDITION COMPLIANCE.

Note: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 1, Article III of the San Francisco Municipal Code (Building Code) is hereby amended by amending Section 303(h) to read as follows:

(h) Additional Work, Permit Required. When an approved permit has been issued, a separate permit for alteration work shall be required for any change in work or additional work as set forth hereafter, <u>except no alteration permit shall be required where the change or additional work is required by the Board of Permit Appeals as a condition of approving an appealed permit</u>. <u>Revised plans and plan review fees, including back check fees, shall be required for such change or additional work. The Board of Permit Appeals may require, as a condition of approval, that revised plans be submitted to the Board for review</u>. The fees shall be as set forth in Section 304(a).3 and 304(b), based on the difference in the valuation of the changed work and that of the original permit. The valuation shall be not less than $1. Situations which require a separate permit include the following:

1. The construction differs from the approved plans sufficiently to require revised plans or additional plans to be submitted to the Bureau for approval, including changes in partition layout that impact on other code requirements, changes in framing directions, spans and locations of concentrated loads, and changes in types of materials used.

2. Proposed changes which alter the outside dimensions more than 6 inches either in vertical or horizontal measurement, change the visual appearance through changes in exterior wall materials and windows, change the number of dwelling units in the case of residential property, change the use or occupancy, or decrease the amount of off-street parking provided.

3. The value of the additional work or the value of the changes exceeds 10 percent of the valuation of the approved permit work or $50,000 whichever is the smaller amount.

4. There is a change in occupancy or use, as defined in this code.

5. There is a change in the construction type in any portion of the building, for any purpose or intent.

6. There is an unusual condition that should require a permit procedure to protect the interest of the public. When the building has been given a final completion, any additional work shall require a separate permit.

7. Any tenant improvement work for Site Permit jobs, including partitions, regardless of whether the value of such work was included in the valuation of the Site Permit.

Section 2. Part II, Chapter 1, Article III of the San Francisco Municipal Code (Building Code) is hereby amended by amending Section 307(c) to read as follows:

(c) Certificate Issued. The Superintendent shall issue Certificates of Final Completion and Occupancy for buildings hereafter erected or enlarged, and for each change in

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occupancy classification in any building or portion thereof, whether or not alterations to the building are required by this code, except for Group R-1 Occupancies.

For Group R-1 Occupancies see Sections 307(g) and 307(h).

Before a Certificate of Final Completion and Occupancy may be issued for any building hereafter erected, enlarged, or altered, or for a change in occupancy classification, a written report of compliance with applicable ordinances, ((and)) laws, and any conditions of approval to the building shall be obtained from those agencies having jurisdiction. Where any permit for the building was appealed to the Board of Permit Appeals and the Board imposed new conditions on appeal, the Bureau of Building Inspection may not issue a Certificate of Final Completion and Occupancy until it determines that the conditions have been complied with and written notice of compliance is sent to the Board of Permit Appeals. ~~Failure to send written notice shall not invalidate the Certificate of Final Completion and Occupancy.~~

GJ
/12/88

Section 3. Part II, Chapter 1, Article III of the San Francisco Municipal Code is hereby amended by amending Section 307(g) to read as follows:

(g) Certificate of Final Completion, Group R-1 Occupancy. No building housing Group R-1 Occupancy shall be constructed, altered, used or occupied, and no change in the height, area, number of stories, or number of dwelling units and guest rooms in the existing Group R-1 Occupancy in a building or portion thereof shall be made until the Superintendent has issued a Certificate of Final Completion therefor and a Permit of Occupancy has been obtained in accordance with the requirements of Section 307(h).

Before a Certificate of Final Completion or Permit of Occupancy may be issued, a written report of compliance with applicable ordinances, laws, and any conditions of approval to the building shall be obtained from those agencies having jurisdiction. Where any permit for the building was appealed to the Board of Permit Appeals and the Board imposed new conditions on appeal, the Bureau of Building Inspection may not issue a Certificate of Final Completion or Permit of Occupancy until it determines that the conditions have been complied with and written notice of compliance is sent to the Board of Permit Appeals. ~~Failure to send written notice shall not invalidate the Certificate of Final Completion or Permit of Occupancy.~~

GJ
5/12/88

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 23, 1988	§	May 31, 1988
	§	
	§	
Ayes: Supervisors Gonzalez Hongisto	§	Ayes: Supervisors Gonzalez Hongisto
Hsieh Kennedy Maher Molinari	§	Hsieh Kennedy Molinari Nelder
Silver Walker Ward	§	Silver Walker Ward
	§	
Absent: Supervisors Britt Nelder	§	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
114-87-14

JUN 3 1988

Date Approved

Mayor

File No. 124-88-4

E R R A T A

Amend Ordinance 228-88, in Title to read as follows:

AMENDING PART II, CHAPTER XI, SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY ADDING SECTION 32.6.11 THERETO, ESTABLISHING SPECIAL PARKING ZONES FOR UNAUTHORIZED POLICE DEPARTMENT VEHICLES ON POLICE DEPARTMENT-OPERATED PROPERTY COMMONLY KNOWN AS 1125 FILLMORE STREET.

And also on lines 11 and 12, correct Section 32.6.10 to Section 32.6.11.

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John L. Taylor
Clerk of the Board
December 6, 1988

FILE NO. 124-88-4 ORDINANCE NO. 228-88

[Special Parking Zones for Police Vehicles]

AMENDING PART II, CHAPTER XI, SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY ADDING SECTION 32.6.1~~0~~1 THERETO, ESTABLISHING SPECIAL PARKING ZONES FOR AUTHORIZED POLICE DEPARTMENT VEHICLES ON THE POLICE DEPARTMENT-OPERATED PROPERTY COMMONLY KNOWN AS 1125 FILLMORE STREET.

Note: This material is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter XI, San Francisco Municipal Code (Traffic Code) is hereby amended by adding Section 32.6.1~~0~~1 thereto, to read as follows:

SEC. 32.6.1~~0~~1 Parking Control, 1125 Fillmore Street; Penalties for Violation. Except in parking stalls expressly designated for use by the public, while conducting business at the police facilities, no person shall stop, park, or leave standing any vehicle, whether attended or unattended, at any time within the property lines of the off-street parking area of the Police Department property commonly known as 1125 Fillmore Street (Lot 13, Block 755) and located on the south side of Turk Street approximately 412.5 feet for the entire block between Fillmore and Steiner Streets and approximately 137.5 feet in the easterly side of Steiner Street and approximately 137.5 feet in the westerly side of Fillmore Street and approximately 67.5 feet on the northerly side of Golden Gate Avenue commencing approximately 70 feet from the easterly line of Steiner Street and the northerly line of Golden Gate Avenue, except those vehicles having a valid permit to park thereon issued by the Chief of Police, or being (1) a City-owned vehicle under the jurisdiction of the Police Department, or (2) a privately owned vehicle of a police officer or employee of the City

and County of San Francisco during the conduct of the business of the City and County of San Francisco. Violation of this section is an infraction and any vehicle stopped, parked, or left standing in any place prohibited by this section is an obstruction to the free use of property and a nuisance within the meaning of Division 4, Part III of the Civil Code of California relating to the abatement thereof.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

BURK E. DELVENTHAL
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
124-88-4

JUN 3 1988
Date Approved

Mayor

FILE NO. 188-88-1.1 ORDINANCE NO. 229-88

(Street Vacation)

ORDERING VACATION OF CRAUT STREET FROM TRUMBULL STREET TO ALEMANY BOULEVARD.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. On April 18, 1988 the Board of Supervisors adopted Resolution No. 272-88 , approved by the Mayor on April 26, 1988 being a Resolution of a Declaration of Intention to order the vacation of Craut Street from Trumbull Street to Alemany Boulevard as shown on Department of Public Works' Diagram SUR 684, a copy of which is on file in the office of the Clerk of the Board of Supervisors.

Section 2. The Clerk of the Board of Supervisors did transmit to the Department of Public Works a certified copy of said Resolution, and said Department did cause to be posted in the manner and as required by law, notice of the passage of said Resolution. 272-88

Section 3. When said matter was considered as scheduled by the Board of Supervisors at its regular meeting held in the City Hall, San Francisco, on May 23, 1988 beginning at 3:00 P.M., said Board heard all persons interested in said vacation.

Section 4. The public interest and convenience require the vacation to be done as declared in said Resolution No. 272-88

Section 5. The Department of City Planning reported on July 31, 1986, that said vacation is in conformity with the Master Plan and on December 7, 1987, determined it to be consistent with the priority policies of Proposition M.

Section 6. The Board of Supervisors has acquired jurisdiction to order said vacation subject to the conditions as set forth in the Declaration of Intention to order the said vacation and transfer to the owners of the abutting property.

Section 7. The owners of the abutting property have agreed to pay the City $125,000 for the City's interest in said property, which is the market value of said interest as determined by the Director of Property, subject to the following requirements.

1. Reservation of a permanent easement for Pacific Bell for constructing, maintaining and operating their facilities upon, over, and across those portions of Craut Street, or parts thereof, as indicated on Department of Public Works' Drawing No. SUR-684.

2. Reservation of a 3' x 4' anchor easement located as shown on Department of Public Works'Drawing No. SUR-684 for PG&E anchorage facilities.

3. City requires continued prohibition of access to Alemany Boulevard where it intersects Craut Street.

Section 8. The said portion of Craut Street is hereby ordered vacated.

Section 9. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, be and they are hereby authorized and directed to execute and deliver to the owners of the abutting property a quitclaim deed to said vacated street area.

Section 10. The Clerk of the Board of Supervisors is hereby directed to transmit to the Recorder and the Director of Public Works a certified copy of this Ordinance, and the Recorder and the Director of Public Works are hereby directed to proceed thereafter as required by law.

Section 11. From the proceeds of this Street Vacation, $15,000 is to be

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deposited to the Street Vacation Fund to cover costs of the Real Estate Department.

RECOMMENDED:

Director of Property

for Director of Public Works

Chief Administrative Officer

DESCRIPTION APPROVED:

City Engineer

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 23, 1988	$	May 31, 1988
	$	
	$	
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Walker Ward	$	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
	$	
Noes: Supervisors Maher Silver	$	
	$	
Absent: Supervisors Britt Nelder	$	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
188-88-1.1

JUN 3 1988
Date Approved

Mayor

FILE NO. 45-88-21 ORDINANCE NO. 230-88

RO # 7246

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MARK YASAMATSU AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $8,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "MARK YASAMATSU v. CITY AND COUNTY OF SAN FRANCISCO, et al.", Court No. 882-659, by the payment of $8,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

POLICE DEPARTMENT

FRANK JORDAN
Chief of Police

APPROVED:

POLICE COMMISSION

SECRETARY

FUNDS AVAILABLE:

JOHN FARRELL
Controller

01 001 97 09 38
309781 1450 $8,500.00

4280t/4

MAR 29 1988

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-88-21

JUN 3 1988
Date Approved

Mayor

FILE NO. 45-88-23

ORDINANCE NO. 231-88

RO #7268

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF VIRGINIA GRANILLO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $25,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "VIRGINIA GRANILLO v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 874-639, by the payment of $25,000 (in addition to a payment for the Public Utilities Commission).

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD J. EVANS
Head

FUNDS AVAILABLE:

JOHN FARRELL
Controller

01 001 97 09 90
309674 1450 $25,000.00
Funding subject to approval of
4699t/5 Supplemental Request No.
115 RO #7247.

APR 20 1988

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

CLERK

File No.
45-88-23

JUN 3 1988
Date Approved

Mayor

FILE NO. 45-88-25

ORDINANCE NO. 232-88

RO #7269

(SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF SAN FRANCISCO POLICE OFFICERS' ASSOCIATION AGAINST THE CITY AND COUNTY OF SAN FRANCISCO BY PAYMENT OF $13,862.69.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "San Francisco Police Officers' Association, et al. v. City and County of San Francisco, et al.", Superior Court No. 789-802, by payment of $13,862.69 in retroactive salary.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE, City Attorney

By: KIMBERLY A. REILEY
Chief Trial Deputy

01 001

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

By: FRANK JORDAN
Chief

FUNDS AVAILABLE:

JOHN C. FARRELL
Controller

SUBJECT TO APPROVAL OF SUPPLEMENTAL APPROPRIATION FOR RETROACTIVE SALARIES FROM POLICE DEPARTMENT.

APR 20 1988

APPROVED:

POLICE COMMISSION

Secretary

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-88-25

JUN 3 1988
Date Approved

Mayor

FILE NO. 45-88-28

ORDINANCE NO. 233-88

RO #7257

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ERNESTO MARTINEZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $10,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ERNESTO MARTINEZ v. CITY AND COUNTY OF SAN FRANCISCO, et al., "Superior Court No. 846-598, by the payment of $10,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Kimberly A. Reiley for

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

Richard J. Evans

RICHARD J. EVANS
Director

FUNDS AVAILABLE:

John C Farrell

JOHN FARRELL
Controller

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

01 001 97 09 90
12611 309674 1450 $10,000.00

Funding subject to approval of Supplemental Request No. 115 RO #7247.

APR 20 1988

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-88-28

JUN 3 1988
Date Approved

Mayor

FILE NO. 45-88-29

ORDINANCE NO. 234-88

RO #7256

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MARIA DELGADO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $18,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "MARIA DELGADO v. CITY AND COUNTY OF SAN FRANCISCO, et al.", Court No. 866-543, by the payment of $18,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

DAVID WERDEGAR, M.D., M.B.H.
Director, Health Department

APPROVED:

HEALTH COMMISSION

SECRETARY

FUNDS AVAILABLE:

JOHN FARRELL
Controller

01 001 97 09 86
4685t/6 309807 1450 $18,500.00

Funding subject to approval of Supplemental Request No. 115, RO #7247.

APR 20 1988

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-88-29

JUN 3 1988
Date Approved

Mayor

FILE NO. 46-88-5 ORDINANCE NO. 235-88

[Settlement of Lawsuit]

AUTHORIZING SETTLEMENT OF CROSS-COMPLAINT AGAINST THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the cross-complaint against the City and County of San Francisco in the action entitled "PEOPLE OF THE STATE OF CALIFORNIA v. JACK KLEIN, ELISA KLEIN/JACK KLEIN & ELISA KLEIN v. CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS, JEFFREY LEE & ARLO SMITH" by entering into a settlement agreement with the District Attorney and Jack and Elisa Klein whereby the cross-complaint against the City and County of San Francisco is dismissed with prejudice.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD J. EVANS

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

5990j

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 23, 1988	May 31, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 46-88-5

JUN 3 1988
Date Approved

Mayor

FILE NO. 97-88-28 ORDINANCE NO. 236-88

(Weighing and Measuring Devices)

ORDINANCE AMENDING CHAPTER 1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 1.13.5 THERETO, PROVIDING FOR A 100% PENALTY FOR DELINQUENT PAYMENT OF FEES FOR WEIGHING AND MEASURING DEVICES, EFFECTIVE JULY 1, 1988.

NOTE: Additions or substitutions are underlined; there are no deletions.

Be it ordained by the People of the City and County of San Francisco that:

Section 1. Chapter 1 of the San Francisco Administrative Code is hereby amended, by amending Section 1.13.5 thereto, to read as follows:

SEC. 1.13.5. WEIGHTS AND MEASURES -- PERMITS.

All weighing and measuring devices inspected or tested by the county sealer of weights and measures pursuant to Business and Professions Code Section 12210 shall be registered annually with the county sealer. The fee charged by the county sealer for such registration shall be used to offset the costs of inspecting and testing said devices.

The fee to be charged, effective July 1, 1986, shall be as follows:

Number of Devices	Charge Per Location
1 - 3	$20.00
4 - 9	40.00
Over 9	60.00

The county sealer shall promulgate such rules and regulations as are reasonable and necessary to implement this ordinance.

The penalty for fees not paid within 30 days of billing shall be 100%.

/ / /

/ / /

/ / /

AGRICULTURE-WEIGHTS & MEASURES

FILE NO. ORDINANCE NO.

Section 2. This amendment shall be effective July 1, 1988.

APPROVED AS TO FORM:

LOUISE RENNE, City Attorney

Deputy City Attorney

APPROVED BY:

RUDOLF NOTHENBERG, CAO

Chief Administrative Officer

RECOMMENDED BY:

G. E. WEETH

County Agricultural Commissioner

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 31, 1988	June 6, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt	Absent: Supervisors Britt Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-88-28

JUN 10 1988

Date Approved

Mayor

ORD. # 237-88

Canceled

Amended in Cmte. 5/18/88.

FILE NO. 101 87 81

ORDINANCE NO. 238-88

R/O #7252
S.A. #87

(Government Funding)

APPROPRIATING $250,000 FOR LEGAL SERVICES, AIRPORTS COMMISSION, FOR FISCAL YEAR 1987-88, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

5/18/88 BST

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBT	AMOUNT CREDIT
30-001	Airport Operating Fund		
G.L.490 (022012)	Addition to Surplus	$250,000	
27-00-00	Airports Commission		
20-2010 (570754)	Program Project Budget		
Project 014-01	Legal Services		
10-1001	Legal Services		$250,000
	Total	$250,000	$250,000

5/18/88 BST

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
[signature]
CONTROLLER

APR 11 1988

RECOMMENDED:
[signature]
MAYOR

(jc1071M)

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JUL 6 1988
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 31, 1988	June 6, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt	Absent: Supervisors Britt Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-87-81

JUN 10 1988
Date Approved

[signature]
Mayor

FILE NO. 101-87-94

ORDINANCE NO. 239-88

RO# 7289 SA #150

(Government Funding)

APPROPRIATING $10,732,483 FOR CAPITAL IMPROVEMENT PROJECT (MOSCONE EXPANSION CONSTRUCTION PROJECT), CHIEF ADMINISTRATIVE OFFICER, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 491	Unappropriated Revenue Retained		
Subsidiary 056048	Hotel Tax Reserve for Public Facilities	$10,732,483	
70-04-00	CAO - Yerba Buena Center		
21-2030 ( )	Capital Improvement Project		
Project 6XX-01	Moscone Expansion Construction Project		10,732,483
	Total	$10,732,483	$10,732,483

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
for John C. Farrell
CONTROLLER

MAY 11 1988

1137M-1p

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 31, 1988	§	June 6, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt	§	Absent: Supervisors Britt Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-87-94

JUN 9 1988
Date Approved

Mayor

Amended in Cmte. 5/25/88.

FILE NO. 101-87-95

ORDINANCE NO. 240-88

R.O. #7295
S.A. #160

(Government Funding)

APPROPRIATING $5,515,395 FOR PROFESSIONAL AND SPECIAL SERVICES, COMMISSION ON THE AGING, FOR FISCAL YEAR 1987-88. TO BE HELD IN RESERVE AND TO BE FORWARDED TO FISCAL YEAR 1988-89, PLACING IN RESERVE $49,744.

5/25/88 BST

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-003	Senior Citizens Program Fund		
GL 490 (000091)	Unappropriated Revenues	$5,515,395	
26-00-00	Commission on the Aging		
10-1001 (326090)	Professional and Special Services		$5,515,395
	Total	$5,515,395	$5,515,395

Section 2. These funds shall be held in reserve to be forwarded to Fiscal Year 1988-89.

5/25/88 BST

Section 3. Funds in amount $49,744 are hereby held in reserve for funding the YWCA Program until released by the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C. Farrell
CONTROLLER

MAY 16 1988

(fh #2148A12)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 31, 1988	June 6, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt	Absent: Supervisors Britt Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

JUN 10 1988

Clerk

File No.
101-87-95

Date Approved

Mayor

File 106-87-7

Amendment of the Whole 6/13/88

ORIGINAL

ORDINANCE NO. 241-88

AMENDING THE ORDINANCE FIXING, DESIGNATING, ENUMERATING AND PROVIDING SCHEDULES OF COMPENSATION FOR PERSONS EMPLOYED BY THE CITY AND COUNTY OF SAN FRANCISCO, THE SAN FRANCISCO COMMUNITY COLLEGE DISTRICT AND THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT, WHOSE COMPENSATIONS ARE SUBJECT TO THE PROVISIONS OF SECTION 8.400, SECTION 8.401 AND SECTION 8.407 OF THE CHARTER AND ESTABLISHING WORKING SCHEDULES AND CONDITIONS OF EMPLOYMENT AND METHODS OF PAYMENT, EFFECTIVE JULY 1, 1987 TO MAKE CONTRACTUALLY AND LEGALLY MANDATED CHANGES THERETO REQUIRED BY MEMORANDA OF UNDERSTANDING, REQUIRED BY PROVISIONS OF THE 1987-88 SALARY STANDARDIZATION ORDINANCE AND PURSUANT TO THE AGREEMENT BETWEEN THE PARTIES SETTLING LITIGATION ENTITLED UNION OF AMERICAN PHYSICIANS AND DENTISTS V. CIVIL SERVICE COMMISSION, SAN FRANCISCO SUPERIOR COURT NUMBERS 789-050 and 868-410, EFFECTIVE JULY 1, 1988, AN EMERGENCY ORDINANCE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Sections I.C.5, I.C.7, I.C.10, I.C.11, II.A.3.(I), IV.B, IV.I, IV.O, IV.S, IV.Z, VI.A, and VII.A.1 of the 1987-88 Salary Standardization Ordinance are hereby amended to read as follows:

I.C.5 For employees in classes 7346 Painter, 7242 Painter Supervisor I and 7278 Painter Supervisor II the City agrees to designate a supplier of painters overalls and shirts on July 1, 1987 and July 1, 1988, and thereafter provide up to four shirts and four overalls to the above classes during the Fiscal Year of 1987-88 and 1988-89, provided, however, that shirts and overalls shall be subject to the provisions contained in the MOU between the union representing employees in these classes and the City.

I.C.7 Consistent with and subject to the provisions of a Memorandum of Understanding between Local 104 Sheet Metal Workers and the City and County of San Francisco, for employees in 7247 Sheet Metal Supervisor II, 7376 Sheet Metal Worker and 9345 Sheet Metal Worker Supervisor I, Port, the City agrees to provide two (2) pairs of overalls for each employee. The cost of the overalls and laundry of the same shall be paid by the City. The City further agrees to provide safety toe clips and reimbursement for prescription safety glasses not to exceed $50.00 per employee.

FILE NO. 36-88-4.1

AS AMENDED IN COMMITTEE
5/27/88

ORDINANCE NO. 242-88

5/27/88
grh

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED ON THE SOUTH SIDE OF VALLEJO STREET BETWEEN POLK AND LARKIN STREETS, AND ADOPTING THE EIGHT PRIORITY PLANNING POLICIES AS REQUIRED BY SECTION 101.1 OF THE PLANNING CODE; BEING ALL OF LOT 18 IN ASSESSOR'S BLOCK 572 FROM AN RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DENSITY TO A POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to resolution of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Use District to be Superseded	Use District Hereby Approved
RM-2 (Mix Residential Moderate Density)	Polk Street Neighborhood Commercial District

Description of Property

Beginning at a point perpendicularly distant 100 feet easterly from the easterly line of Polk Street and also perpendicularly distant 87 feet 6 inches southerly from the southerly line of Vallejo Street; running thence southerly and parallel with the easterly line of Polk Street 50 feet; thence at a right angle easterly 67 feet 8 inches; thence at a right angle northerly 50 feet; thence at a right angle westerly 67 feet 8 inches to the point of beginning; being all of Lot 18 in Assessor's Block 572.

5/27/88
grh

Section 2. That the San Francisco Board of Supervisors adopts findings as its' own and incorporates by reference herein as though fully set forth the findings made by the Department of City Planning, by its' letter dated May 27, 1988, that the project is consistent with the eight priority planning

5/27/88
grh

policies of City Planning Code Section 101.1.

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By Theodore R. Lakey
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By (see file for signature)
Dean L. Macris
Director of Planning

Board of Supervisors, San Francisco

Passed for Second Reading

June 6, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

Finally Passed

June 13, 1988

Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward

Absent: Supervisors Britt Maher

DOCUMENTS DEPT.
JUL 18 1988
SAN FRANCISCO
PUBLIC LIBRARY

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
36-88-4.1

JUN 22 1988
Date Approved

Art Agnos
Mayor

FILE NO. 36-88-8.1 ORDINANCE NO. 243-88

(Zoning Map Change, 86.701ZEC)

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PROPERTY LOCATED ON BUSH, SCOTT AND SUTTER STREETS FROM AN RH-3 TO AN NC-2 DISTRICT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Resolution of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Section 2. The San Francisco Board of Supervisors hereby finds that this ordinance is consistent with the Priority Policies in Section 101.1 of the San Francisco Municipal Code (the City Planning Code). The existing housing and neighborhood character would be conserved and protected. The requested rezoning would allow a 100-year-old recreational facility to remain, expand and add off-street parking thereby reducing traffic and parking congestion in the area.

Description of Property	Use District to be Superseded	Use District Hereby Approved
Beginning at a point at the intersection of the south line of Bush Street and the east line of Scott Street and running thenceforth southerly 175.083 feet along said easterly line of Scott Street , thence at a right angle easterly 79.792 feet, thence at a right angle southerly 99.917 feet to the north line of Sutter Street, thence at a right angle easterly along said north line of Sutter Street 257.708, thence at a right angle northerly 126 feet, thence at a right angle westerly 42.5 feet, thence at a right angle northerly 49 feet, thence at a right angle westerly 8.5 feet, thence at a right angle northerly 100 feet to the south line of Bush Street, thence at a right angle westerly along said south line of Bush Street 286.5 feet to the point of beginning, and being all of Lot 3 in Assessor's Block 680.	RH-3 (House, Three-Family)	NC-2 (Small-Scale Neighborhood Commercial)

APPROVED AS TO FORM

RECOMMENDED:

LOUISE RENNE, CITY ATTORNEY

By _____
Deputy City Attorney

CITY PLANNING COMMISSION

By _____
Dean L. Macris
Director of Planning

Board of Supervisors, San Francisco

Passed for Second Reading

June 6, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

Finally Passed

June 13, 1988

Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward

Absent: Supervisors Britt Maher

DOCUMENTS DEPT.
JUL 18 1988
SAN FRANCISCO PUBLIC LIBRARY

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 36-88-8.1

JUN 22 1988
Date Approved

_____
Mayor

FILE NO. 36-87-19 ORDINANCE NO. 244-88

(Mount Zion Hospital Area Height Reclassification)

AMENDING THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO TO RECLASSIFY HEIGHT AND BULK DISTRICTS IN THE AREA GENERALLY BOUNDED BY SUTTER STREET, PIERCE STREET, POST STREET, AND DIVISADERO STREET FOR CERTAIN PROPERTIES LOCATED IN THE 50-X DISTRICT TO 65-A.

NOTE: All sections are new.

Be It Ordained by the People of the City and County of San Francisco:

Section 1: The following changes in height and bulk classification are hereby adopted as amendments to Section Map 2H of the Zoning Map of the City and County of San Francisco as shown on the Map on File with the Clerk of the Board of Supervisors under File No. 36-87-19:

Description of Property	Height and Bulk District to be Superseded	Height and Bulk District Hereby Approved
Within the area generally bounded by Sutter, Pierce, Post and Divisadero Streets as shown on Exhibit A, attached hereto, specifically including the following Assessor's blocks and lots: 1077/27 (easternmost 137.5 feet of lot); 681/15, 18-19, 22-25, 40.	50-X	65-A

Section 2: SEVERABILITY. It is the intent of this Board of Supervisors, that if any part of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or any part thereof. The Board of Supervisors hereby declares that it would have passed all portions of this ordinance irrespective of the fact that any one or more portions were unconstitutional or invalid.

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Section 3. PROPOSITION M FINDINGS. The Board of Supervisors, having reviewed the proposed legislation and after hearing public testimony, finds and declares that this Zoning Map Amendment is in conformity with the priority policies of Section 101.1(b) of the City Planning Code, and hereby adopts the findings of the City Planning Commission, set forth in Resolution No. ____, and incorporates said findings by reference.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By Judith A. Boyajian
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading

June 6, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

Finally Passed

June 13, 1988

Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward

Absent: Supervisors Britt Maher

DOCUMENTS DEPT.
JUL 18 1988
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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 36-87-19

JUN 22 1988
Date Approved

Mayor

FILE NO. 45-88-31

ORDINANCE NO. 245-88

RO #7279

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF VINCENT L. SULLIVAN AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $22,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "VINCENT L. SULLIVAN v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 869-720, by the payment of $22,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

FIRE DEPARTMENT

MICHAEL J. FARRELL
Acting Chief

FUNDS AVAILABLE:

JOHN FARRELL
Controller

01 001 97 09 31
309773 1450 $22,500.00

4829t/4

Funding subject to approval of Supplemental Appropriation Request No. 115 RO #7247.

MAY 04 1988

APPROVED:

FIRE COMMISSION

SECRETARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 6, 1988	June 13, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Silver	Absent: Supervisors Britt Maher

DOCUMENTS DEPT.

JUL 18 1988

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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-88-31

JUN 22 1988

Date Approved

Mayor

FILE NO. 45-88-32

ORDINANCE NO. 246-88

RO #7278

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF ATTORNEY'S FEES ARISING FROM LITIGATION OF GAUDIYA VAISHNAVA SOCIETY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $39,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the attorney's fees portion of the action entitled "Gaudiya Vaishnava Society et al. v. City and County of San Francisco", Federal District Court No. C86-4227, by the payment to Plaintiffs of $21,840, with an additional payment of $17,160 if Plaintiffs are successful on appeal.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Kimberly A. Reiley

KIMBERLY A. REILEY
Chief Trial Deputy

FUNDS AVAILABLE:

John C Farrell

JOHN FARRELL
Controller

01 001 97 09 01
300178 1450 $39,000.00

MAY 04 1988

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 6, 1988	June 13, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Silver	Absent: Supervisors Britt Maher

DOCUMENTS DEPT.

JUL 18 1988

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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-88-32

JUN 22 1988
Date Approved

Mayor

FILE NO. 45-88-33

ORDINANCE NO. 247-88

RO #7276

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MARGARET SCAROLA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $8,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "MARGARET SCAROLA v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 866-543, by the payment of $8,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RECREATION AND PARK DEPARTMENT

MARY E. BURNS
General Manager

APPROVED:

RECREATION AND PARK COMMISSION

SECRETARY

FUNDS AVAILABLE:

JOHN FARRELL
Controller

4461t/5

01 001 97 09 42
620245 1450 $8,000.00

Funding subject to approval of Supplemental Appropriation Request No. 115, RO #7247.

MAY 09 1988

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 6, 1988	June 13, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Silver	Absent: Supervisors Britt Maher

DOCUMENTS DEPT.

JUL 18 1988

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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-88-33

JUN 22 1988

Date Approved

Mayor

FILE NO. 45-88-34

ORDINANCE NO. 248-88

RO #7274

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MICHAEL A. BROCK AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $$21,450.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "MICHAEL A. BROCK v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 849-969, by the payment of $21,459.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD J. EVANS
Director

FUNDS AVAILABLE:

JOHN FARRELL
Controller

01 001 97 09 90
309674 1450 $21,450.00
Funds subject to approval of Supplemental Appropriation Request No. 115, RO #7247.

MAY 09 1988

4755t/5

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

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JUL 18 1988

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 6, 1988	June 13, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Silver	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-88-34

JUN 22 1988
Date Approved

Mayor

FILE NO. 45-88-37 ORDINANCE NO. 249-88

RO #7288

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF RONALD THORSON V. CITY AND COUNTY OF SAN FRANCISCO, ET AL., SUPERIOR COURT NO. 823-151, IN THE SUM OF $11,000.00.

Be it ordained by the People of the City and County of San Francisco;

Section 1. The City Attorney is hereby authorized to settle the action entitled "RONALD THORSON VS. CITY AND COUNTY OF SAN FRANCISCO, et al., "Superior Court No. 823-151, by the payment of $11,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Kimberly A. Reiley

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:
DEPARTMENT OF PUBLIC HEALTH

David Werdegar

DAVID WERDEGAR
Director

FUNDS AVAILABLE:

John C Farrell

JOHN FARRELL
Controller

01 001 97 09 86
309807 1450 $11,000.00

Funding subject to approval of Supplemental Appropriation Request No. 115, RO #7247.

MAY 11 1988

APPROVED:
PUBLIC HEALTH COMMISSION

Sandy Cuyo Moir

SECRETARY

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JUL 18 1988

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 6, 1988	June 13, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Silver	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-88-37

JUN 22 1988
JUN 22 1988
Date Approved

Mayor

FILE NO. 101-87-91

ORDINANCE NO. 250-88

RO# 7281 SA# 138

(Government Funding)

APPROPRIATING $450,000 FOR CAPITAL IMPROVEMENT PROJECT (SOLID WASTE DISPOSAL SITE CLOSURE), PORT COMMISSION, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
34-001	S.F. Harbor Operating Fund		
G.L. 490 (026013)	Unappropriated Revenue	$450,000	
39-04-01	Port Commission		
21-2030 (590042)	Capital Improvement Project		
Project 618-02	Piers 94, 98 & 70 - Solid Waste Disposal Site Closure		$450,000
	Total	$450,000	$450,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C. Farrell
CONTROLLER

MAY 11 1988

RECOMMENDED:

N/R
MAYOR

ac(0721P85)

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JUL 18 1988

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 6, 1988	June 13, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Silver	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-87-91

JUN 22 1988
Date Approved

Mayor

FILE NO. 101-87-92

ORDINANCE NO. 251-88

RO# 7283 SA# 147

(Government Funding)

APPROPRIATING $170,000 FOR CAPITAL IMPROVEMENT PROJECT (ARMY STREET MAINTENANCE YARD - WOMEN'S LOCKER ROOM), PUBLIC WORKS - BUREAU OF ARCHITECTURE, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-331	Real Property Fund		
G.L. 312	Reserve for Contingency		
Subsidiary -			
312-114007 (003467)	Public Works	$170,000	
90-02-00	Public Works - Bureau of Architecture		
21-2030 (772087)	Capital Improvement Project		
Project 6XX-01	Army Street Maintenance Yard - Women's Locker Room		$170,000
	Total	$170,000	$170,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER

MAY 11 1988

RECOMMENDED:

N/R
MAYOR

ac(0721P84)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 6, 1988	June 13, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Silver	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-92

JUN 22 1988
Date Approved

Mayor

FILE NO. 101-87-93

ORDINANCE NO. 252-88

RO# 7284 SA# 106

(Government Funding)

APPROPRIATING $72,510 FOR PROGRAM PROJECT BUDGET (HARDSHIP LOANS AND HARDSHIP LOANS - ADMINISTRATIVE COSTS), PUBLIC WORKS - BUREAU OF BUILDING INSPECTION, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-501	Code Enforcement and Rehabilitation Fund		
90-03-00	Public Works - Building Inspection		
60-6021 ( )	Substandard Housing Revenues	$72,510	
20-2010	Program Project Budget		
Project 004-01	Hardship Loans		$40,451
004-02	Hardship Loans - Administration Costs		
01-0010 ( )	Permanent Salaries		24,104
04-0600	Retirement		3,717
04-0606	Social Security		1,461
04-0610	Health Service		649
10-140	Fees, Licenses and Permits		2,128
	Total	$72,510	$72,510

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C. Farrell
CONTROLLER

MAY 11 1988

RECOMMENDED:

N/R
MAYOR

DOCUMENTS DEPT.
JUL 18 1988
SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 6, 1988	June 13, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Silver	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-93

JUN 22 1988
Date Approved

Mayor

FILE NO. 101-87-96 ORDINANCE NO. 253-88

(Government Funding) RO #7306

AMENDING SECTION 11.12 OF THE ADMINISTRATIVE PROVISIONS OF THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 1988 TO DELETE THE AUTOMATIC APPROPRIATION TO THE RESERVE FOR CAPITAL ITEMS OF UNEXPENDED BALANCES IN COMPLETED CAPITAL ITEMS SUPPORTED BY THE GENERAL FUND.

Note: Deletions are noted by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 11.12 of the Administrative Provisions of the Annual Appropriation Ordinance is hereby amended to read as follows:

Section 11.12. The Controller is hereby authorized and directed to maintain a reserve for capital items. The purpose of this is to provide a reserve for capital items pending specific allocation in the manner provided by the Charter for supplemental appropriations.

((Upon completion of a General Fund or General Fund supported capital item, any unexpended balance remaining in the project appropriation shall be automatically appropriated to Reserve for Capital Items and said reserve shall be made available for additional capital related projects subject to the budgetary and fiscal provisions of the Charter.))

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

John C. Farrell
JOHN C. FARRELL
CONTROLLER

MAY 18 1988

BO'S:fh (#2369A)

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JUL 18 1988
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 6, 1988	June 13, 1988
Ayes: Supervisors Gonzalez Hongisto Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Kennedy Maher Molinari Nelder Silver Walker Ward
Noes: Supervisors Hsieh Maher	Noes: Supervisors Hsieh
Absent: Supervisors Britt	Absent: Supervisors Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-87-96

JUN 22 1988
Date Approved

Mayor

Amendment of the Whole
6/6/88

FILE NO. 101-87-115

ORDINANCE NO. 254-88

(Government Funding) RO # 7314 SA # 163

APPROPRIATING $143,252 FOR PROGRAM PROJECT BUDGET (GAIN), SOCIAL SERVICES, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-291	Welfare Assistance and Administration		
45 00-00	Social Services		
60-6339 (041442)	Gain Administration - State	$143,252	
49-4900 (840041)	Revenue Transfer - Out to Fund #01-001, General Fund		$143,252
	Total	$143,252	$143,252
01-001	General Fund		
45-00-00	Social Services		
99-9990 (160499)	Revenue Transfer - In from Fund #01-001, General Fund	$143,252	
20-2010	Program Project Budget		
Project	Gain		
02-0200 ( )	Temporary Salaries		$10,383
04-0600	Retirement		1,869
04-0606	Social Security		780
04-0610	Health Services		369
10-1001	Professional Services		5,000
10-1060	Data/Word Processing Equipment Maintenance		222
11-1301	Office Supplies		$ 4,500
11-1302	Forms		1,200
11-1303	Data Processing Supplies		1,070
10-1241	Office Machine Rental		1,000
10-1232	Telephone		1,000
22-2220	Communications Equipment		1,918
22-2260	Office Equipment		5,751
22-2261	Furnishings/Furniture		18,250
22-2230	Data Processing Equipment		66,674
30-3180	Services or Other Departments Building Repair		5,000
30-3400	Services of Other Departments -Controller		18,266
	Total	$143,252	$143,252

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C. Farrell
CONTROLLER

JUN 06 1988

SC:1886S

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 6, 1988	§	June 13, 1988
	§	
	§	
Ayes: Supervisors Britt Gonzalez	§	Ayes: Supervisors Britt Gonzalez
Hsieh Kennedy Maher Molinari	§	Hsieh Kennedy Maher Molinari
Nelder Silver Walker Ward	§	Nelder Silver Walker Ward
	§	
Absent: Supervisors Hongisto	§	Absent: Supervisors Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-87-115

JUN 22 1988

Date Approved

Mayor

(Board of Permit Appeals Filings)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTIONS 309 and 322; PART II, CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 2409; PART II, CHAPTER X OF THE SAN FRANCISCO MUNICIPAL CODE (PUBLIC WORKS CODE) BY AMENDING SECTION 807; AND PART III, ARTICLE I OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTIONS 8 AND 30, TO CHANGE THE TIME FOR FILING APPEALS TO THE BOARD OF PERMIT APPEALS FROM TEN TO FIFTEEN DAYS, EXCEPT FOR VARIANCE DECISIONS.

Note: Additions are indicated by underlining; deletions by ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Sec. 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Section 309 as follows:

SEC. 309. PERMIT REVIEW IN C-3 DISTRICTS

The provisions and procedures set forth in this section shall govern the review of project authorization and building and site permit applications for the construction or substantial alteration of structures in C-3 districts, the granting of exceptions to certain requirements of this Code where the provisions of this Section are invoked, and the approval of open space provided in compliance with Section 138. The categories of alterations deemed to be substantial shall be established by the City Planning Commission after a public hearing. When any action authorized by this Section is taken, any determination with respect to the proposed project required or authorized pursuant to CEQA may also be considered. This section shall not require additional review in connection with a site or building permit application if review hereunder was completed with respect to the same proposed structure or alteration in connection with a project authorization application pursuant to Section 322.

(a) Exceptions. Exceptions to the following provisions of this Code may be granted as provided in the code sections referred to below:

1. Exceptions to the setback and rear yard requirements as permitted in Sections 132.1 and 134(d).

2. Exceptions to the ground level wind current requirements as permitted in Section 148.

3. Exceptions to the sunlight to public sidewalk requirement as permitted in Section 146.

4. Exceptions to the requirement of independently accessible parking spaces as permitted in Section 155(c).

5. Exceptions to the freight loading and service vehicle space requirements as permitted in Section 161(h).

6. Exceptions to the off-street tour bus loading space requirements as permitted in Section 162.

7. Exceptions to the height limits for vertical extensions as permitted in Section 260(b)1(G) and for upper tower extensions as permitted in Section 263.7.

8. Exceptions to the height limits in the 80-130F and 80-130X height and bulk districts as permitted in Section 263.6 and in the 200-400S height and bulk district as permitted in Section 263.8.

9. Exceptions to the bulk requirements as permitted in Sections 270 and 272.

A project applicant seeking an exception shall file an application on a form provided by the Zoning Administrator.

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(b) Additional Requirements. In addition to the requirements set forth in this Code, additional requirements and limitations (hereafter referred to as modifications) may be imposed on the following aspects of a proposed project, through the imposition of conditions, in order to achieve the objectives and policies of the Master Plan or the purposes of this Code:

1. Building siting, orientation, massing and facade treatment, including proportion, scale, setbacks, materials, cornice, parapet and fenestration treatment, and design of building tops.

2. Aspects of the project affecting views and view corridors, shadowing of sidewalks and open spaces, openness of the street to the sky, ground level wind current, and maintenance of predominant streetwalls in the immediate vicinity.

3. Aspects of the project affecting parking, traffic circulation and transit operation and loading points.

4. Aspects of the project affecting its energy consumption.

5. Aspects of the project related to pedestrian activity, such as placement of entrances, street scale, visual richness, location of retail uses, and pedestrian circulation, and location and design of open space features.

6. Aspects of the project affecting public spaces adjacent to the project, such as the location and type of street trees and landscaping, sidewalk paving material, and the design and location of street furniture.

7. Aspects of the project relating to quality of the living environment of residential units, including housing unit size and the provisions of open space for residents.

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8. Aspects of the design of the project which have significant adverse environmental consequences.

9. Aspects of the project that affect its compliance with the provisions of Sections 1109(c), 1111.2(c), 1111.6(c), and 1113 regarding new construction and alterations in conservation districts.

10. Other aspects of the project for which modifications are justified because of its unique or unusual location, environment, topography or other circumstances.

(c) Notice of Application for Building or Site Permit. After receipt of an application for a project authorization or building or site permit for new construction or substantial alteration of a structure in a C-3 district, the Zoning Administrator shall mail notice of the application to all owners of property immediately adjacent to the property that is the subject of the application, using for this purpose the names and addresses as shown on the citywide Assessment Roll in the Assessor's Office; and, in addition, shall publish notice at least once in an official newspaper of general circulation.

(d) Notice of Proposed Approval. If, after a review of a project authorization or permit application, the Zoning Administrator determines that an application complies with the provisions of this Code and that no exception is sought as provided in subsection (a), and the Director of Planning determines that no additional modifications are warranted as provided in subsection (b), and that the open space requirements of Section 138 have been complied with, the Zoning Administrator shall provide notice of the proposed approval of the application in the manner set forth in subsection (c) and, in addition, to any person who has requested such notice in writing. If no request

for City Planning Commission review pursuant to subsection (g) is made within 10 days of such notice, the Zoning Administrator shall approve the application.

(e) Hearing and Determination of Applications for Exceptions.

1. Hearing. The City Planning Commission shall hold a public hearing on an application for an exception as provided in subsection (a).

2. Notice of Hearing. Notice of such hearing shall be mailed not less than 10 days prior to the date of the hearing to the project applicant, to property owners within 300 feet of the project that is the subject of the application using for this purpose the names and addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any person who has requested such notice. The notice shall state that the written recommendation of the Director of Planning regarding the request for an exception is available for public review at the office of the Department of City Planning.

3. Decision and Appeal. The Commission may, after public hearing and after making appropriate findings, approve, disapprove or approve subject to conditions, the application for an exception. The decision of the City Planning Commission may be appealed to the Board of Permit Appeals by any person aggrieved within ((10)) 15 days after the date of the decision by filing a written notice of appeal with that Body, setting forth wherein it is alleged that there was an error in the interpretation of the provisions of this Code or abuse of discretion on the part of the City Planning Commission.

4. Decision on Appeal. Upon the hearing of an appeal, the Board of Permit Appeals may, subject to the same limitations as are placed on the City Planning Commission by Charter or by

this Code, approve, disapprove or modify the decision appealed from. If the determination of the Board differs from that of the Commission it shall, in a written decision, specify the error in interpretation or abuse of discretion on the part of the Commission and shall specify in the findings, as part of the written decision, the facts relied upon in arriving at its determination.

(f) Director's Recommendations.

1. Recommendations. If the Director of Planning determines that modifications through the imposition of conditions are warranted as provided in subsection (b), or that the open space requirements of Section 138 have not been complied with, the matter shall be scheduled for hearing before the City Planning Commission; provided, however, that if the Director determines that Section 138 has been complied with and the applicant does not oppose the imposition of conditions which the Director has determined are warranted, the applicant may waive the right to a hearing before the Commission in writing and agree to the conditions, in which case the Zoning Administrator shall provide notice of such fact according to the notice given for applications governed by subsection (d), so that any person seeking additional modifications or objecting to the Section 138 determination may make such a request as provided in subsection (g). If no request is made within 10 days of such notice, the Zoning Administrator shall approve the application subject to the conditions.

2. Notice. Notice of any meeting of the City Planning Commission pursuant to this subsection shall be mailed to the project applicant, to property owners immediately adjacent to the site of the application using for this purpose the names and addresses as shown on the citywide Assessment Roll in the

BOARD OF SUPERVISORS

Assessor's Office, and to any person who has requested such notice. The notice shall state that the Director's written recommendation is available for public review at the Department of City Planning.

3. Commission Action. The City Planning Commission may, after public hearing and after making appropriate findings, approve, disapprove or approve subject to conditions applications considered pursuant to subsection (b) or for compliance with Section 138.

(g) City Planning Commission Review Upon Request.

1. Requests. Within 10 days after notice of the proposed approval has been given, as provided in subsection (d), any person may request in writing that the City Planning Commission impose additional modifications on the project as provided in subsection (b) or consider the application for compliance with Section 138. Said written request shall state why additional modifications should be imposed notwithstanding its compliance with the requirements of this Code and shall identify the policies or objectives that would be promoted by the imposition of conditions or shall state why Section 138 has not been complied with.

2. Commission Consideration. The City Planning Commission shall consider at a public meeting each written request for additional modifications and for consideration of Section 138 compliance and may, by majority vote, direct that a hearing be conducted to consider such modifications or compliance, which hearing may be conducted at the same meeting that the written request is considered and decided. Notice of such meeting shall be mailed to the project applicant, to property owners immediately adjacent to the site of the application using for this purpose the

names and addresses as shown on the citywide Assessment Roll in the Assessor's Office, to any person who has requested such notice, and to any person who has submitted a request for additional requirements. In determining whether to conduct such a hearing, the Commission shall determine whether, based upon a review of the project, reasonable grounds exist justifying a public hearing in order to consider the proposed additional modifications or Section 138 compliance.

3. Commission Action. If the Commission determines to conduct a hearing to consider the imposition of additional modifications or Section 138 compliance, it may, after such hearing and after making appropriate findings, approve, disapprove, or approve subject to conditions the building or site permit or project authorization application. If the Commission determines not to conduct a hearing, the Zoning Administrator shall approve the application subject to any conditions imposed by the Director of Planning to which the applicant has consented.

(h) Hearings on Projects over 50,000 Square Feet of Gross Floor Area or over 75 Feet in Height. The City Planning Commission shall hold a public hearing not otherwise required by this section on all building and site permit and project authorization applications for projects which will result in a net addition of more than 50,000 square feet of gross floor area of space or which will result in a building that is greater than 75 feet in height. Notice of such hearing shall be mailed not less than 10 days prior to the date of the hearing to the project applicant, to property owners immediately adjacent to the site of the application using for this purpose the names and addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any person who has requested such notice.

(i) Imposition of Conditions, General. If pursuant to the provisions of this section, the City Planning Commission determines that conditions should be imposed on the approval of a building or site permit application, project authorization application or an application for exceptions and the applicant agrees to comply, the Commission may approve the application subject to those conditions, and if the applicant refuses to so agree, the Commission may disapprove the application.

(j) Change of Conditions. Authorization of a change in any condition previously imposed pursuant to this Section shall require an application for a change in conditions, which application shall be subject to the procedures set forth in this Section.

Sec. 2. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Section 322 as follows:

SEC. 322. PROCEDURE FOR ADMINISTRATION OF OFFICE DEVELOPMENT LIMIT. (a) Project Authorization Required. During the approval period, every site or building permit application for an office development must, before final action on the permit, include a copy of a project authorization for such office development, certified as accurate by the Department of City Planning. No such application shall be considered complete and the Department of Public Works shall not issue any such site or building permit unless such a certified copy is submitted. No site or building permit shall be issued for an office development except in accordance with the terms of the project authorization for such office development. Any such site or building permit which is inconsistent with the project authorization shall be invalid.

(b) Application for Project Authorization. During the approval period, an applicant for approval of an office development shall file an application for a project authorization with the Department of City Planning contemporaneously with the filing of an application for environmental evaluation for such development. Such application shall state such information as the Department of City Planning shall require; provided, however, that an application for a project authorization for each office development for which an environmental evaluation application has been filed prior to the effective date of this Section, shall be deemed to have been filed effective as of the date such environmental evaluation application was filed.

(c) Processing of Applications.

(1) The approval period shall be divided into such review periods as the Planning Commission shall provide by rule. The first review period shall commence on the effective date.

(2) Applications for project authorizations shall be considered by the City Planning Commission during a specific review period in accordance with the following procedures:

(A) During a specific review period the City Planning Commission shall consider all project authorization applications for which, prior to the first day of such review period, a final Environmental Impact Report has been certified, or a final Negative Declaration has been issued, or other appropriate environmental review has been completed; provided, however, that during the first review period, the City Planning Commission shall consider only those office developments for which (i) an environmental evaluation application and a site or building permit application were submitted prior to June 1, 1985, or (ii) a draft

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environmental impact report or a preliminary negative declaration was published prior to the effective date.

(B) The City Planning Commission may hold hearings on all project authorizations applications assigned to a specific review period before acting on any such application.

(C) In reviewing project authorization applications, the City Planning Commission shall apply the criteria set forth in Section 321, and shall, prior to the end of such a review period, approve, deny, or, with the consent of the applicant, continue to the next subsequent review period each such application based on said criteria.

(D) Notwithstanding any other provisions of this Section or Section 321, the City Planning Commission may at any time, after a noticed hearing, deny or take other appropriate action with respect to any application for a project authorization as to which environmental review, in the judgment of the Commission, has not been or will not be completed in sufficient time to allow timely action under applicable law.

(E) Any project authorization application which is denied by the City Planning Commission, unless such denial is reversed by the Board of Permit Appeals or Board of Supervisors, shall not be resubmitted for a period of one year after denial.

(d) Appeal of Project Authorization. The City Planning Commission's determination to approve or deny the issuance of a project authorization may be appealed to the Board of Permit Appeals within ((10)) 15 days of the Commission's issuance of a dated written decision pursuant to the procedural provisions of Section 308.2 of this Code, except in those instances where a conditional use application was filed. In cases in which a conditional use application was filed, the decision of the City

Planning Commission may be appealed only to the Board of Supervisors pursuant to Section 308.1 of this Code. The decision on the project authorization by the Board of Permit Appeals or Board of Supervisors shall be the final administrative determination as to all matters relating to the approval of the office development that is the subject of the project authorization, except for matters, not considered in connection with the project authorization, which arise in connection with a subsequent building or site permit application for the development in question.

(e) Modification of Project Authorization. The City Planning Commission may approve a modified project authorization, after a noticed hearing, during the review period in which the initial project authorization was approved or a subsequent review period. Approval or denial of a modified project authorization shall be subject to appeal in accord with Subsection (d).

(f) No Right to Construct Conveyed. Neither approval nor issuance of a project authorization shall convey any right to proceed with construction of an office development, nor any right to approval or issuance of a site or building permit or any other license, permit, approval or authorization which may be required in connection with said office development.

Sec. 3. Part II, Chapter VIII of the San Francisco Municipal Code (Police Code) is hereby amended by amending Section 2409 as follows:

SEC. 2409. APPEALS TO BOARD OF PERMIT APPEALS. Appeals to the Board of Permit Appeals from the final decision of the Art Commission to grant, deny, suspend or revoke a Street Artists certificate shall be governed by Article 1, Section 30 of Part III

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of the Municipal Code and shall be filed not later than ((10)) 15 days after the final decision of the Art Commission.

Sec. 4. Part II, Chapter X of the San Francisco Municipal Code (Public Works Code) is hereby amended by amending Section 807 as follows:

SEC. 807. PLANTING AND REMOVAL OF STREET TREES - PERMIT REQUIRED; APPEALS.

(a) Permits. It shall be unlawful for any person to plant or to remove a street tree without a valid permit for such work issued by the Division. Any person who desires a permit shall apply to the Division on the designated form. The permittee shall post any permit to remove a tree on the affected tree immediately upon issuance.

(b) Appeals. Any affected party may appeal a permit decision of the Division to the Director within ten (10) days after issuance. The Director shall issue his written decision and order on the appeal after a public hearing and upon recommendation of the Tree Board. Appeals from a permit decision of the Director may be made within ((ten (10))) fifteen (15) days after issuance to the Board of Permit Appeals, whose decision on the matter shall be final.

Section 5. Part III, Article I, Section 8, of the San Francisco Municipal Code, is hereby amended to read as follows:

Section 8. Method of Appeal to the Board of Permit Appeals.

Except for variances, ((A)) appeals to the Board of Permit Appeals shall be taken within fifteen (15) days from the making or entry of the order or decision from which the appeal is taken. Appeals of variance decisions shall be taken within ten (10) days. Appeals shall be taken by filing a notice of appeal with the Board of Permit Appeals and paying to said Board at such

time a filing fee as follows:

a. Zoning Administrator, Department of City Planning, Director of Planning and City Planning Commission

(i.) For each appeal from the Zoning Administrator's variance decision the fee shall be one hundred and fifty dollars ($150.00).

(ii.) For each appeal from any order, requirement, decision or other determination (other than a variance) made by the Zoning Administrator, the Department of City Planning or Commission or the Director of Planning the fee shall be one hundred and fifty dollars ($150.00).

b. Department of Public Works

(i.) For each appeal from a Bureau of Building Inspection denial of a residential hotel or apartment conversion permit the fee shall be one hundred and fifty dollars ($150.00).

(ii.) For each protest appeal from a Bureau of Building Inspection conditional approval or granting of a residential hotel or apartment conversion permit the fee shall be one hundred and fifty dollars ($150.00).

(iii.) For each appeal from the granting or denial of a building demolition, or other permit (other than conversion) the fee shall be seventy dollars ($70.00).

(iv.) For each appeal from the imposition of a penalty only the fee shall be forty dollars ($40.00).

c. Police Department

(i.) For each appeal from the denial or granting of a Police permit or license the fee shall be one hundred and twenty dollars ($120.00) for an entity and fifty dollars ($50.00) for an individual.

(ii.) For each appeal from the revocation or

BOARD OF SUPERVISORS

suspension of a Police permit or license the fee shall be one hundred twenty dollars ($120.00) for an entity or individual.

d. For each appeal from any other order or decision the fee shall be seventy dollars ($70.00).

e. For requests for rehearing under Section 16 of this Article the fee shall be thirty dollars ($30.00). All agencies of the City and County of San Francisco are exempted from this fee.

f. An exemption from paying the full fee specified in subsections a., b., c., d., and e. herein may be granted upon the filing under penalty of perjury of a declaration of indigency on the form provided and approved by the board.

Notice of appeal shall be in such form as may be provided by the rules of the Board of Permit Appeals.

On the filing of any appeal, the Board of Permit Appeals shall notify in writing the department, board, commission, officer or other person from whose action the appeal is taken of such appeal. On the filing of any appeal concerning a structural addition to an existing building, the Board of Permit Appeals shall additionally notify in writing the property owners of buildings immediately adjacent to the subject building.

The Board of Permit Appeals shall fix the time and place of hearing, which shall be not less than five (5) nor more than fifteen (15) days after the filing of said appeal, and shall act thereon not later than forty (40) days after such filing or a reasonable time thereafter.

Pending decision by the Board of Permit Appeals, the action of such department, board, commission, officer or other person from which an appeal is taken, excluding actions of revocation or suspension of permit by the Director of Public Health when

determined by him to be an extreme public health hazard, shall be suspended.

Sec. 6. Part III, Article I, Section 30 of the San Francisco Municipal Code, is hereby amended to read as follows:

SEC. 30. APPEALS TO BOARD OF PERMIT APPEALS. On the issuance, denial or revocation of any permit, any applicant for a permit who is denied such permit, or any permittee whose permit is ordered revoked, or any person who deems that his interest or property, or that the general public interest will be adversely affected as the result of operations authorized by or under any permit granted or issued, or the transfer thereof, may appeal to the Board of Permit Appeals. Such appeal shall be in writing, and <u>except for variances,</u> shall be filed with the Board of Permit Appeals not later than ((10)) <u>15</u> days after the action of the department from which the appeal is taken. <u>An appeal from the decision on a variance shall be filed with the Board of Permit Appeals not later than 10 days after the action of the Zoning Administrator.</u>

The form and notice of said appeal, and the procedure thereon, shall be as provided by ordinance, and when not so provided then in such form as is provided by the Board of Permit Appeals.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Melbin Joe
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 6, 1988	§	June 13, 1988
	§	
	§	
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker	§	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
	§	
	§	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
115-88-7

JUN 22 1988
Date Approved

Mayor

FILE NO. 155-88-3 ORDINANCE NO. 256-88

RO #7296

[Reward Authorization]

AUTHORIZING PAYMENT OF AWARD TO MARIO ALVAREZ, ROBERT ARROL, CLEOPHIS CANTON, ALFONSO EMILIA, TAINOINO FIAME, ABEL GALVAN, DAVID GOODWIN, CLIFTON HONG, LA RUE JUDICE, NILS KRISTOFFERSEN, TALIB MAHARDIA, RUBEN ORTEGA, RANALD PRYOR, SR., MICHAEL TANAGON, AND LINDA TROUT.

NOTE: This material is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars payable to Mario Alvarez for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 2. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars payable to Robert Arrol for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 3. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars payable to Cleophis Canton for supplying information leading to the arrest and conviction (or admissions of

guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 4. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars payable to Alfonso Emelia for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 5. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars payable to Tainoino Fiame for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the prepetrators of several graffiti incidents.

Section 6. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars payable to Abel Galvan for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 7. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Two Hundred Fifty Dollars payable to David Goodwin for supplying information leading to the arrest and conviction (or admissions of guilt with

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voluntary probation) of the perpetrators of several graffiti incidents.

Section 8. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Two Hundred Fifty Dollars payable to Clifton Hong for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 9. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars payable to La Rue Judice for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 10. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Two Hundred Fifty Dollars payable to Nils Kristoffersen for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 11. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Two Hundred Fifty Dollars payable to Talib Mahardia for supplying information leading to the arrest and conviction (or admissions of guilt with

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voluntary probation) of the perpetrators of several graffiti incidents.

Section 12. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars payable to Ruben Ortega for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 13. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars payable to Ranald Pryor, Sr. for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 14. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars payable to Michael Tanagon for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 15. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars payable to Linda Trout for supplying information leading to the arrest and conviction (or admissions of guilt with

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voluntary probation) of the perpetrators of several graffiti incidents.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

FUNDS AVAILABLE:

John C Farrell
Controller
001 97 09 25
323428 1450 $6,500.00
Funding subject to approval of Supplemental Appropriation Request No. 115 RO #7247.

MAY 18 1988

1686g

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
June 6, 1988	§	June 13, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	§	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Silver	§	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
155-88-3

JUN 22 1988
Date Approved

Mayor

(Subdivision Code)

AMENDING PART II, CHAPTER XIII, SAN FRANCISCO MUNICIPAL CODE (SUBDIVISION CODE) BY AMENDING SECTIONS 1341 AND 1343 AND BY ADDING SECTIONS 1341A, 1341B, 1385A, and 1396A TO REQUIRE A REVIEW OF THE AVAILABILITY OF LOW AND MODERATE INCOME UNITS, TO PROVIDE FOR THE PAYMENT OF CERTAIN ADMINISTRATIVE COSTS FROM THE HOUSING DEVELOPMENT FUND, TO REVISE ELIGIBILITY REQUIREMENTS FOR PURCHASERS OF CERTAIN CONVERTED UNITS AND TO SUSPEND CERTAIN PROVISIONS WITH RESPECT TO NEW APPLICATIONS FOR INITIAL CONVERSION OF RESIDENTIAL UNITS.

Note: Additions are <u>underlined</u>; deletions are indicated with ((double)) parentheses. Section 1385 is reproduced for reference only.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Municipal Code, Part II, Chapter XIII (Subdivision Code) is hereby amended by amending Sections 1341 and 1343 to read as follows:

SEC. 1341. LOW AND MODERATE INCOME OCCUPANCY.

(a) In all subdivisions involving 50 or more lots or units, except for condominium or cooperative conversion subdivisions, the subdivider shall make available 10 percent of the units for low and moderate income occupancy provided that the Department of City Planning finds that governmental subsidies for such occupancy are available to the subdivider. This requirement shall not limit the authority of the City otherwise to encourage the provision of low and moderate income housing, or of the subdivider to make available additional low and moderate income housing.

(b) In all condominium or cooperative conversion subdivisions with five or more lots or units, the subdivider shall make available 10 percent of the lots or units for rental or for purchase by households of low or moderate income. In the event that the total number of units determined to be within the low or moderate income housing stocks pursuant to Section 1385 is greater than 10 percent of the total number of units in the subdivision, such greater number shall apply, and such number of units determined to be within the low or moderate income housing stock shall be made available for purchase as set forth in Section 1385, thereby precluding the application of the alternatives set forth in Section 1341 to such number of units. In the event the total number of units determined to be within the low or moderate income housing stock pursuant to Section 1385 is less than 10 percent of the total number of units in the subdivision, the difference between such number of units determined to be within the low or moderate income housing stock and the 10 percent required by Section 1341 may be satisfied by the alternatives set forth in this Section.

(c) If the units are to be made available for purchase, then the sales prices of such units shall not exceed 2.5 times the annual median income for low or moderate income households, as defined, and as adjusted for household size according to the relationship to the size of the dwelling, as set forth in Section 1309. Priority for purchase of these units shall be as set forth in Section 1385. Any low or moderate income household which purchases a dwelling pursuant to this Section shall grant a right-of-first refusal, to the City and County of San Francisco, or to such other entity that at a future time may be designated by the City and County of San Francisco, to repurchase the dwelling from the initial purchaser at the original price plus the cost of any improvements paid for by the owner, plus an increase

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proportionate to the increases in the housing component of the "Bay Area Cost of Living Index, U.S. Dept. of Labor," over the intervening time period. The City and County of San Francisco, or designated agent, shall reconvey such unit to other qualified ((low or moderate income)) purchasers if the right to purchase is exercised by the City or its designated agent.

(d) If the converted units are to be for rental, then the rent in such units shall not exceed the rent charged at the time of filing the application for conversion, or the maximum rent that would be allowed so as to keep the unit within moderate income housing stock, whichever rent level is lower. Once established, rent levels for any units remaining as rental pursuant to this Section may be increased annually consistent with any changes in the residential rent component of the "Bay Area Cost of Living Index, U.S. Dept. of Labor." In cases of hardship to the subdivider, or in cases where a rent increase authorized herein is considered by the tenant to be not consistent with increases in the residential rent component of the Bay Area Cost of Living Index, either a subdivider or a tenant may request relief under this Section from the Director or his or her designee. In considering the reasonableness of a rent increase, the Director shall consider whether the rental revenues are sufficient to adequately maintain the building in safe and sound condition, and in conformity with any applicable sections of the San Francisco Housing and Building Codes. The Director may allow rent increases greater than the proportionate increases in the residential rent component of the "Bay Area Cost of Living Index, U.S. Dept. of Labor," in order to allow the building to be maintained in safe and sound condition. The rental increase provisions of this

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Section shall apply only in the absence of other applicable rent increase or arbitration laws.

(e) Converted units made available for purchase by households of low or moderate income pursuant to this Section, or purchased by a tenant or qualified household subject to the price limitation of Section 1385, shall remain within the low or moderate income housing stock pursuant to the recapture provision of Subsection (c) above. Units made available for rental pursuant to Subsection (d) above shall remain as rental units for no less than 20 years, provided, however, that such rental units may be sold by the original subdivider or any subsequent owner during such 20-year period at a price not exceeding the price at which the City and County of San Francisco would be entitled to repurchase the unit if exercising its right of first refusal under Subsection (c) above, and further provided that such maximum price shall not reflect the cost of any improvements made within two years after recording of the final or parcel map for the conversion.

(f) As an alternative to the provisions of Subsections (b) and (c) above, the subdivider shall make a bona fide agreement, satisfactory to the Department of City Planning, to construct or cause to be constructed within a period commencing 18 months prior to the date of filing the application for conversion and ending 18 months after filing of the final or parcel map, or to provide through other means, the same number of units and under the same conditions as would be required for low or moderate income occupancy under the provisions of Subsections (b), (c) and (d) above, in areas approved by the Department of City Planning as being non-impacted with assisted housing.

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(g) As a further alternative to the provisions of Subsections (b), (c) and (f) above, the subdivider shall pay to the City and County of San Francisco an amount equal to 10 percent of the difference between the aggregated total of the proposed market rate sales prices, as indicated on the price list supplied with the application packet, and the aggregate total of the sales prices if the units were to be sold at moderate-income sales prices, as determined by the sales price formula of Section 1385 and Subsection (c) above. This payment shall be made within two years of the recordation of the Final Map.

(h) Funds collected pursuant to Subsection (g) above, shall be deposited into the Housing Development Fund, which fund is to be used for persons and households of low or moderate income.

SEC. 1343. POLICIES AND PROCEDURES FOR USE OF THE HOUSING DEVELOPMENT FUND. (1) Purpose of the Fund.

(a) To reduce the cost of construction of new residential structures, or rehabilitation of existing structures, so that dwelling units in such structures are affordable by persons and families of low and moderate income.

(b) To expand homeownership opportunities for persons and families of low or moderate income.

(c) The determination of what constitutes housing affordable to persons and families of low and moderate income shall be in accordance with the then-current Department of Housing and Urban Development guidelines.

(2) Eligible Uses of the Fund.

(a) Monies from the Fund may be made available to nonprofit housing corporations for the acquisition of available and feasible sites for developing low and moderate income housing

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and the rehabilitation of existing sites for low and moderate income housing.

(b) Monies from the Fund may be used for costs incident to the acquisition or rehabilitation of property, including, but not limited to, architectural and engineering costs.

(c) Any developer receiving monies from this Fund shall ensure that a minimum of 51 percent of the units in the project are made available to persons and families of low and moderate income.

(d) Monies may be used to pay the cost of administering the Fund, including the costs incurred by the Real Estate Department in order to monitor those units which have been set aside for persons and families of low and moderate income((.)) <u>and to facilitate the re-sale of converted units.</u>

(3) Administration of the Fund. The Fund shall be administered by the Mayor's Office of Housing and Economic Development.

(4) Application for Loan or Grant Funds. Any nonprofit corporation concerned with the construction of housing, or concerned with the provisions of housing opportunities for low or moderate income persons, may make application to the Mayor's Office of Housing and Economic Development for the use of monies from the Fund to be applied in accordance with the provisions of this Section 1343.

Applications shall specify how monies from the Fund would make units affordable by persons or households of low or moderate income and shall specify how units assisted by the Fund would remain in occupancy by low or moderate income households.

Applications shall be reviewed by the Mayor's Office of Housing and Economic Development, whose decisions shall be final.

(5) Authorization to Expend. The Mayor and the Executive Director of the Mayor's Office of Housing and Economic Development shall approve expenditures from the Housing Development Fund. The funds are deemed appropriated solely for the purposes set forth in Subsections (1) and (2) above.

(6) Interest. Interest earned from the Housing Development Fund shall become part of the principal and shall not be drawn from the funds for any purpose other than that for which the Housing Development Fund is established.

(7) Accrual of Monies in Fund. Any unexpended balances remaining in the Housing Development Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Section 6.306 of the Charter and shall be carried forward and accumulated in the Housing Development Fund for the purpose recited herein.

(8) Reporting on Program Status. The Mayor's Office of Housing and Economic Development shall report quarterly to the Board of Supervisors on the current status of the Fund, the amount approved for disbursement, the number and types of projects assisted, and shall make recommendations for any changes deemed necessary to improve the effectiveness of the Fund in achieving its purpose.

SEC. 1385. PRESERVATION OF LOW AND MODERATE INCOME HOUSING. The Department of City Planning shall determine whether any units to be converted are part of the City's low and moderate income housing stocks. If the Department of City Planning determines that any unit to be converted is part of the City's low or moderate income housing stocks, then the price of the unit upon conversion shall not be such as to remove it effectively from said low or moderate income housing stocks and shall be no greater than 2.5

times the highest income level for low and moderate income households as defined in Section 1309(e) and (f), and as adjusted for household size according to the size of the dwelling, as set forth in Sections 1309(l) and (m). The resulting sales prices established pursuant to this formula may be increased consistent with any increases in the housing component of the "Bay Area Cost of Living Index, U.S. Dept. of Labor," during the period between the most recent establishment of the above highest income levels and the date of commencement of sales. If the tenant does not exercise the contract right to purchase the unit which has been determined to be part of the low or moderate income housing stock, then the unit shall be made available exclusively for purchase by qualified households of low or moderate income on first-come, first-served basis for a period of not less than 12 months from the date of the decision by the tenant not to exercise the contract right to purchase or, if there is no tenant, from the date of issuance of the State Department of Real Estate Final Subdivision Public Report, at a price no greater than that allowed under the low and moderate income price guidelines set forth above. Priority, however, shall be given to low or moderate income households who can demonstrate that they had previously relocated from a dwelling in a building which has been approved for condominium conversion. The alternatives for low and moderate income occupancy set forth in Section 1341 shall not apply, except for those additional number of units which may be required pursuant to Section 1341(a) to be made available for rental or for purchase by households of low or moderate income. In cases where no low or moderate income household has purchased or contracted to purchase such unit within this 12-month period, after good-faith

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efforts by the subdivider, the subdivider may offer the unit to the general public with no price limitation.

Section 2. The San Francisco Municipal Code, Part II, Chapter XIII (Subdivision Code) is hereby amended by adding Sections 1341A, 1341B, 1385A and 1396A to read as follows:

Sec. 1341A. Suspension of Provisions of Section 1341 With Respect to Certain Applications.

(1) The provisions of Section 1341 shall not apply to applications for initial conversion of residential units filed on or after June 1, 1988. For purposes of this Section, initial conversion shall mean the first time the parcel containing the subject units is converted to condominiums.

(2) The suspension of Section 1341 shall continue so long as the 200 unit annual conversion limit set forth in Section 1396 remains in effect.

Sec. 1341B. Requirements for Re-Sale of Converted Units on or After June 1, 1988.

(1) This Section shall govern exclusively where the City and County of San Francisco, on or after June 1, 1988, exercises the right of first refusal under Section 1341(c) to repurchase converted units. This Section shall not apply, however, to any units which are the subject of an application for conversion filed on or after June 1, 1988.

(2) The following definitions shall apply:

(a) "Household" shall mean the person or persons who will permanently reside in the unit. Such persons shall include dependents as that term is defined in the Internal Revenue Code provided that said dependents permanently reside in the unit.

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(b) "Eligible Household" shall mean a household in which the combined gross income plus 10% of the value of all interests in real estate, notes receivable, bank accounts, stocks and bonds does not exceed the maximum allowable income for the household under Subsection (d) below at the time of purchase of the unit.

(c) "Gross Income" shall mean all income from whatever source derived as provided in the Internal Revenue Code (26 U.S.C. §61), whether or not exempt from federal income tax. Such income includes, but is not limited to, the following:

(1) Compensation for services, including fees, commissions, and similar items;

(2) Gross income derived from business;

(3) Gains derived from dealings in property;

(4) Interest;

(5) Rents;

(6) Royalties;

(7) Dividends;

(8) Alimony and separate maintenance payments;

(9) Annuities;

(10) Income from life insurance and endowment contracts;

(11) Pensions;

(12) Income from discharge of indebtedness;

(13) Distributive share of partnership gross income;

(14) Income in respect of a decedent; and

(15) Income from an interest in an estate or trust.

(d) "Maximum Allowable Income" shall mean 120% of the San Francisco Standard Metropolitan Statistical Area Median Income as published annually by the U.S. Department of Housing and Urban

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Development. The resulting figures may be adjusted upwards as necessary, not to exceed 15%, by the Director of Property in order to assure that eligible households qualify for financing by institutional lenders.

(e) "First-Time Buyer" shall mean a person who has not purchased any dwelling as a principal place of residence within the past three years as verified by Federal tax returns for said three year period.

(3) The City's Department of Real Estate shall, whenever possible, reconvey converted units to purchasers who qualify as eligible households. The Department shall give preferential consideration to households with dependents and to first-time buyers. The Department shall adopt a preferential rating system to accomplish this purpose.

(4) All purchasers must become owner occupants.

Sec. 1385A. Suspension of Provisions of Section 1385.

(1) The provisions of Section 1385 shall not apply to applications for initial conversion of residential units filed on or after June 1, 1988. For purposes of this section initial conversion shall mean the first time the parcel containing the subject units is converted to condominiums.

(2) The suspension of Section 1385 shall continue so long as the 200 unit annual conversion limit set forth in Section 1396 remains in effect.

Sec. 1396A. Low and Moderate Income Housing Review. The availability of low and moderate income housing shall be reviewed every two years by the Department of City Planning and the results of this review shall be included in the Department of City

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Planning's "Residence Element Update" which is submitted to the Board of Supervisors.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

05/31/88

Passed for Second Reading

Board of Supervisors, San Francisco

June 6, 1988

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Nelder, Silver, Walker, Ward.

~~Noes: Supervisors~~

~~Absent: Supervisors~~

John L. Taylor Clerk

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

June 13, 1988

Ayes: Supervisors ~~Britt~~, Gonzalez, Hongisto, Hsieh, Kennedy, ~~Maher~~, Molinari, Nelder, Silver, Walker, Ward.

~~Noes: Supervisors~~

Absent: Supervisors BRITT MAHER

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

220-88-1
File No.

JUN 22 1988
Approved

Mayor

FILE NO. 101-87-110 ORDINANCE NO. 258-88

RO #7294 SA #165

(Government Funding)

APPROPRIATING $5,913,500 FOR CAPITAL IMPROVEMENT PROJECT (ISLAIS CREEK LAND), CLEAN WATER, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-895	1976 Sewer Revenue Bonds		
GL 495 (035006)	Use of Surplus	$5,913,500	
92-01-00	Clean Water		
21-2030 (543363)	Capital Improvement Project		
Project 006-01	Islais Creek Land	_____	$5,913,500
	Total	$5,913,500	$5,913,500

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C. Farrell
CONTROLLER

MAY 24 1988

(fh #2148A13)

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JUL 18 1988

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Maher	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-110

JUN 23 1988
Date Approved

Mayor

Amended in Cmte. 6/7/88

FILE NO. 101-87-116

ORDINANCE NO. 259-88

RO # 7197 SA 25

(Government Funding)

APPROPRIATING $240,437 FOR PERMANENT SALARIES AND RESCINDING $240,437 FROM PERMANENT SALARIES, FOR THE APPROPRIATION OF FUNDS FOR THE RECLASSIFICATION OF SIX (6) POSITIONS, DEPARTMENT OF PUBLIC WORKS - WATER POLLUTION CONTROL, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
09-999	D.P.W. Personnel Fund		
90-07-00	Department of Public Works-Water Pollution Control		
01-0010 (780056)	Permanent Salaries	$240,437	
01-0010 (780056)	Permanent Salaries		$240,437
	Total	$240,437	$240,437

6/7/88 BST

Section 2. Funds are hereby Appropriated for six (6) positions created and ~~five~~ six positions abolished by Amendment to the Annual Salary Ordinance (Board of Supervisors' file No. 102-87-13) as follows:

FUND / DEPARTMENT / CLASSIFICATION	D.P.W. PERSONNEL FUND / PUBLIC WORKS - WATER POLLUTION CONTROL / RATE OF PAY	CREATED	ABOLISHED
2471 A Water Quality Chemist	$1,214 B 1,470		5
2473 A Marine Biologist	1,214 B 1,470	5	
2478 A Senior Sewage-Treatment Chemist	1,506 B 1,827		1
2474 A Senior Marine Biologist	1,506 B 1,827	1	
Total		6	6

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER

MAY 25 1988

APPROVED:
CIVIL SERVICE COMMISSION

BY: John J. Walsh
GENERAL MANAGER, PERSONNEL

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Noes: Supervisors Nelder	
Absent: Supervisors Ward	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-87-116

JUN 24 1988
Date Approved

Mayor

FILE NO. 101-87-117

ORDINANCE NO. 260-88

R/O #7297
S.A. #142

(Government Funding)

APPROPRIATING $666,026 FOR CAPITAL IMPROVEMENT PROJECT (DIVISION STREET CONNECTION), AND CERTIFYING $666,026 FROM CAPITAL IMPROVEMENT PROJECT (DIVISION STREET CONNECTION) TO COVER OVERAGE ABOVE TEN PERCENT (10 %) OF CONTRACTED AMOUNT PURSUANT TO PROVISIONS OF CHARTER SECTION 7.203, CLEANWATER, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-705	Channel Outfall Consolidation Fund		
92-01-00	Clean Water		
21-2030 (543363)	Capital Improvement Project		
Project 116-00	Division Street Connection	$666,026	
Project 116-00	Division Street		$666,026
	Total	$666,026	$666,026

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

MAY 24 1988

(jc#1160M 3)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Ward	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-117

JUN 24 1988
Date Approved

Mayor

FILE NO. 64-88-12 ORDINANCE NO. 261-88

(Airport-Airline Lease)

APPROVING MODIFICATION OF LEASE NO. 82-0314, ALASKA AIRLINES, INC. (LESSEE) AND THE CITY AND COUNTY OF SAN FRANCISCO (LESSOR), ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the modification of Airport Lease No. 82-0314 between Alaska Airlines, Inc. as Lessee, and the City and County of San Francisco as Lessor, acting by and through its Airports Commission. The terms of said modification were approved by Airports Commission Resolution No. 87-0247, a copy of which is contained in Board of Supervisors File No. 64-88-12.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

By: Donald J. Garibaldi
Airports General Counsel

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
June 13, 1988	§	June 20, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Maher	§	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

JUN 24 1988 John L. Taylor
Clerk

File No.
64-88-12

Date Approved

Mayor

FILE NO. 64-88-13 ORDINANCE NO. 262-88

(Airport-Airline Lease)

APPROVING MODIFICATION OF LEASE NO. 82-0125, TRANS WORLD AIRLINES, INC. (LESSEE) AND THE CITY AND COUNTY OF SAN FRANCISCO (LESSOR), ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the modification of Airport Lease No. 82-0125 between Trans World Airlines, Inc. as Lessee, and the City and County of San Francisco as Lessor, acting by and through its Airports Commission. The terms of said modification were approved by Airports Commission Resolution Nos. 87-0246 and 88-0057, copies of which are contained in Board of Supervisors File No. 64-88-13.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

By: Donald J. Kimball
Airports General Counsel

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Maher	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
64-88-13

JUN 24 1988
Date Approved

Mayor

FILE NO. 64-88-14 ORDINANCE NO. 263-88

(AIRPORT-AIRLINE LEASE)

APPROVING MODIFICATION OF LEASE NO. 83-0045, MEXICANA AIRLINES (LESSEE) AND THE CITY AND COUNTY OF SAN FRANCISCO (LESSOR), ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the modification of Airport Lease and Use Agreement No. 83-0045 between Mexicana Airlines as Lessee, and the City and County of San Francisco acting by and through its Airports Commission. The modification, which was approved by Airports Commission Resolution No. 87-0066, reflects actual and final exclusive terminal space of Mexicana Airlines as follows:

EXCLUSIVE SPACE	
Category I	520 sq. ft.
Category II	3,154 sq. ft.
Category III	1,255 sq. ft.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

By: Donald J. Garibaldi
Airports General Counsel

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Maher	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
64-88-14

JUN 24 1988
Date Approved

Mayor

FILE NO. 64-88-15 ORDINANCE NO. 264-88

(Airport-Airline Lease)

APPROVING MODIFICATION OF LEASE NO. 82-0126, UNITED AIR LINES, INC. (LESSEE) AND THE CITY AND COUNTY OF SAN FRANCISCO (LESSOR), ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the modification of Airport Lease No. 82-0126 between United Air Lines, Inc. as Lessee, and the City and County of San Francisco as Lessor, acting by and through its Airports Commission. The terms of said modification were approved by Airports Commission Resolution No. 87-0252, a copy of which is contained in Board of Supervisors File No. 64-88-15.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

By: Donald J. Scarlett
Airports General Counsel

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Maher	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
64-88-15

JUN 24 1988
Date Approved

Mayor

FILE NO. 64-88-16 ORDINANCE NO. 265-88

(Airport-Airline Lease)

APPROVING MODIFICATION OF LEASE NO. 82-0111, AMERICAN AIRLINES, INC. (LESSEE) AND THE CITY AND COUNTY OF SAN FRANCISCO (LESSOR), ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the modification of Airport Lease No. 82-0111 between American Airlines, Inc. as Lessee, and the City and County of San Francisco as Lessor, acting by and through its Airports Commission. The terms of said modification were approved by Airports Commission Resolution No. 87-0245, a copy of which is contained in Board of Supervisors File No. 64-88-16.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

By: Donald J. Scarboldi
Airports General Counsel

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Maher	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Judith L. Taylor
Clerk

File No.
64-88-16

JUN 24 1988
Date Approved

Mayor

FILE NO. 101-87-106 ORDINANCE NO. 266-88

R/O #7309
S.A. #168

(Government Funding)

APPROPRIATING $108,000.00 FOR OTHER CONTRACTUAL SERVICES, AIRPORT, FOR FISCAL YEAR 1987-88, AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
30-001	Airport Operating Fund		
27-00-00	Airport		
GL 495 (022012)	Use of Surplus	$108,000	
10-1269 (570416)	Other Contractual Services		$108,000
	Total	$108,000	$108,000

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER

MAY 24 1988

(jc-1175M-2)

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Passed for Second Reading

Board of Supervisors, San Francisco

June 13, 1988

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, [redacted], Silver, Walker, [redacted]

Noes: Supervisors NELDER

Absent: Supervisors WARD

John L. Taylor Clerk

101-87-106
File No.

JUN 24 1988
Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

June 20, 1988

Ayes: Supervisors [redacted], [redacted], Hongisto, Hsieh, Kennedy, [redacted], Molinari, [redacted], Silver, Walker, [redacted]

Noes: Supervisors NELDER

Absent: Supervisors BRITT GONZALEZ MAHER WARD

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Art Agnos
Mayor

FILE NO. 101-87-122

ORDINANCE NO. 267-88

RO #7331 SA #107

(Government Funding)

APPROPRIATING $500,000 FOR CAPITAL IMPROVEMENT PROJECT (SOLID WASTE ASSESSMENT TEST), PORT, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
34-001	S.F. Harbor Improvement Operating Fund		
39-00-00	Port		
G.L. 490 (026013)	Unappropriated Revenue	$500,000	
21-2030 (590042)	Capital Improvement Project		
Project 618-01	Solid Waste Assessment Test		$500,000
	Total	$500,000	$500,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Foley
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER

JUN 02 1988

ac(0721P100)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Maher	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-122

JUN 24 1988
Date Approved

Mayor

ORD. 268-88

Annual Appropriation

Ordinance

ORD. 269-88

Salary Ordinance

FILE NO. 45-88-39 ORDINANCE NO. 270-88

RO #7339

[Settlement of Litigation]

AUTHORIZING SETTLEMENT OF LITIGATION OF UNION OF AMERICAN PHYSICIANS & DENTISTS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO ON CERTAIN TERMS AND CONDITIONS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to execute on behalf of the City and County of San Francisco ("the City") an agreement to settle the actions entitled Union of American Physicians & Dentists v. Civil Service Commission of the City and County of San Francisco, et. al., San Francisco Superior Court Nos. 789-050 and 868-410. The terms and conditions of that settlement relating to the calculation of the amounts of retrospective and prospective salary to be paid are set forth in this ordinance.

Section 2. Under the settlement agreement, both sides will dismiss their pending appeals and abide by the terms of the San Francisco Superior Court's judgment in case No. 789-050, except that plaintiffs will be entitled to interest payments only as provided in sections 6 and 7 below.

Section 3. During the period January 1, 1979 to June 30, 1983, the Civil Service Commission's salary survey for the City's Physician Specialist Class ("the 2230 class") included data from the City of Los Angeles ("L.A."). Under the settlement agreement, for this period, in order to determine the retrospective salary due to members of the 2230 class and other city employees whose salaries were keyed to the 2230 class, the City will use the following standards in recalculating the L.A. data:

a. In weighting the L.A. data, the City shall use the number of full-time, permanent, budgeted Physician Specialist positions in L.A.

/ / /

b. As to the period January 1, 1979 to June 30, 1979, the City will use only the first 14 steps of the 18-step L.A. pay range, the top 4 steps constituting "fringe benefits."

c. As to FY 1979-80, when L.A. had different wage scales for the first and second half of the year for its Physician Specialist Class, the City will use the average of the two L.A. wage scales.

d. As to FY 1980-81, for which L.A. budget data is unavailable, for weighting purposes the City will use the average of the L.A. data from FY 1979-80 and 1981-82.

e. In weighting the L.A. data, the City will not consider data relating to L.A.'s Anesthesiology and Nuclear Medicine specialities, since the City's 2230 class does not include such specialists.

f. In consideration for the plaintiff's agreement to the above terms, after recalculating the appropriate salary schedules for the 2230 class based on the above standards, the City will add .1 (approximately .05 per cent) to the salary schedule number which results from the recalculation for each year.

Section 4. Beginning in FY 1981-82, the City's survey for the 2230 class included salary data for Physician Specialists from the United States Veteran's Administration ("V.A."). Under the settlement agreement, for FY 1983-84 through FY 1987-88, in order to determine the retrospective salary due to members of the 2230 class and other City employees whose salaries were keyed to the 2230 class, the City will recalculate the V.A. data as follows: The City will add "primary special pay" in the amount of $7,000 to the top of the basic pay scale for V.A. Physician Specialists.

Section 5. Under the settlement agreement, beginning July 1, 1988, in determining the prospective salaries of members of the 2230 class and other City employees whose salaries are keyed to the 2230 class, the City will use the methodology set forth in the last sentence of section 4 above for as long as (1) the City continues or is required to continue surveying data for V.A. Physician Specialists and (2) V.A. Physician Specialists remain

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eligible for "primary special pay" on substantially the same terms as presently exist.

Section 6. Under the settlement agreement, the City shall pay no interest which accrued in these actions prior to July 1, 1988. In consultation with the Mayor, the City Attorney is authorized to agree with the Union of American Physicians and Dentists on using the savings from such unpaid interest to preserve health services in the City.

Section 7. Under the settlement agreement, the retrospective salary payments due for the period January 1, 1979 shall be paid in equal, annual installments beginning in FY 1988-89 and ending in FY 1992-93. At the time of such installment payments, the City shall also pay interest at the rate of five (5) percent on all unpaid balances of principal, with such interest beginning to accrue on July 1, 1988.

Section 8. To carry out the retainer agreements regarding attorney's fees between plaintiff and plaintiff's counsel in these cases, the City shall withhold from each beneficiary's check (a) 10% of the retrospective salary payments for the period January 1, 1979 to June 30, 1984, and (b) 15% of the retrospective salary payments for the period July 1, 1984 to June 30, 1988.

Section 9. Upon approval of a final settlement, the plaintiff has agreed to waive and release all other claims which have been raised or which could have been raised in this litigation, and to dismiss with prejudice its action in case No. 868-410.

Section 10. Upon calculation of the retroactive salary due under this settlement, the Civil Service Commission shall submit and

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/ / /

the Board of Supervisors agrees to adopt a supplemental appropriation to pay the settlement amounts.

Section 11. This ordinance shall be effective July 1, 1988.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE, City Attorney

By: Dennis Aftergut
DENNIS AFTERGUT
Chief Assistant City Attorney

RECOMMENDED:

CIVIL SERVICE COMMISSION

By: John Walsh
JOHN WALSH
Gen'l Manager, Personnel

FUNDS AVAILABLE:

John C Farrell
JOHN C. FARRELL
Controller

SUBJECT TO BOARD OF SUPERVISORS
APPROVAL OF RESERVE FOR LITIGATION
IN 1988-89 BUDGET.

JUN 03 1988

2119G

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 13, 1988	§	June 20, 1988
	§	
	§	
Ayes: Supervisors Britt Gonzalez	§	Ayes: Supervisors Britt Gonzalez
Hongisto Hsieh Kennedy Maher Ward	§	Hongisto Hsieh Kennedy Molinari
Molinari Nelder Silver Walker	§	Nelder Silver Walker
	§	
	§	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-88-39

JUN 29 1988
Date Approved

Mayor

Amended in Cmte. 6/7/88

FILE NO. 101-87-118

ORDINANCE NO. 271-88

RO #7333 SA #173

(Government Funding)

6/7/88 BST APPROPRIATING $16,500 ~~$27,096~~ FOR PROGRAM PROJECT BUDGET (DISTRICT ATTORNEY SPECIAL FUND), DISTRICT ATTORNEY, FOR FISCAL YEAR 1987-88, AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
04-00-00	District Attorney		
6/7/88 BST 04-0600 (303271)	Mandatory Fringe Benefits	$16,500 ~~$27,096~~	
20-2010 (303081)	Program Project Budget		
Project 031-01	District Attorney Special Fund	———	$16,500 ~~$27,096~~
	Total	$16,500 ~~$27,096~~	$16,500 ~~$27,096~~

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE SUBJECT TO RELEASE BY THE BOARD OF SUPERVISORS' FINANCE COMMITTEE OF $16,500 ~~$27,096~~ RESERVED PER ORDINANCE 51-88.

John C Farrell
CONTROLLER

JUN 02 1988

ac(0/21P101)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Ward	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-87-118

JUN 29 1988
Date Approved

Mayor

Amended in Cmte. 6/7/88

FILE NO. 101-87-119

ORDINANCE NO. 272-88

RO #7332 SA #174

(Government Funding)

6/7/88 BST APPROPRIATING $80,000 ~~$99,678~~ FOR OTHER SERVICES, MATERIAL AND SUPPLIES, ~~AND LIBRARY BOOKS,~~ AND RESCINDING $80,000 ~~$99,678~~ FROM MANDATORY FRINGE BENEFITS, DISTRICT ATTORNEY, FOR FISCAL YEAR 1987-88, AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
04-00-00	District Attorney		
6/7/88 BST 04-0600 (303271)	Mandatory Fringe Benefits	$80,000 ~~$99,678~~	
10-1200 (303271)	Other Services		$68,000 ~~$74,978~~
11-1300	Material and Supplies		12,000 ~~17,200~~
~~22-2270~~	~~Library Books~~		~~7,500~~
	Total	$80,000 ~~$99,678~~	$80,000 ~~$99,678~~

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE SUBJECT TO RELEASE BY THE BOARD OF SUPERVISORS' FINANCE COMMITTEE OF $80,000 ~~$99,678~~ RESERVED PER ORDINANCE 51-88

John C Farrell
CONTROLLER

JUN 02 1988

ac(0721P102)

Board of Supervisors, San Francisco

Passed for Second Reading

June 13, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

Finally Passed

June 20, 1988

Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Gonzalez Maher Ward

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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-87-119

JUN 29 1988
Date Approved

Art Agnos
Mayor

FILE NO. 62-88-2

ORDINANCE NO. 273-88

(SADDLE HORSE AGREEMENT)

APPROVING A MONTH TO MONTH AGREEMENT WITH JAY BARNES FOR ESTABLISHING AND OPERATING A PROFESSIONAL SADDLE HORSE CONCESSION AT CAMP MATHER FOR THE 1988 CAMP MATHER SEASON.

Be it ordained that the people of the City and County of San Francisco:

Section 1. That certain agreement between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco and Jay Barnes, dba: Mather Saddle and Pack Station, for establishing and operating a professional saddle horse concession at Camp Mather for the 1988 Camp Mather Season, a copy of which agreement is on file in the office of the Clerk of the Board of Supervisors and to which reference is hereby made, is hereby approved.

RECOMMENDED:

for Ernie Lindee
Mary E. Burns, General Manager
Recreation and Park Department

Shauna Marie Rose
Shauna Marie Rose, Secretary
Recreation and Park Commission

APPROVED AS TO FORM:
GEORGE AGNOST, City Attorney

By: Mara Rosales
Mara Rosales, Deputy City Attorney

0169s

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
62-88-2

JUN 29 1988
Date Approved

Mayor

Amendment of the Whole
Amended in Cmte. 4/13/88.

FILE NO. 97-88-13 ORDINANCE NO. 274-88

(Emergency Medical Services)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.117-73 THERETO, CREATING AN EMERGENCY MEDICAL SERVICES FUND.

Note: This section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 10.117-73 thereto, reading as follows:

SEC. 10.117-73. EMERGENCY MEDICAL SERVICES FUND.

(a) Establishment of Fund. There is hereby established the Emergency Medical Services Fund for the purpose of receiving money obtained from the penalty assessment provided in Penal Code Section 1465.

(b) Use of Fund. The administration and use of the fund shall be consistent with the requirements of Health and Safety Code Section 1797.98a through 1797.98e now in effect or as hereafter amended. Up to, but no more than, ten percent (10%) of the amount of the fund may be used for the costs of administering the fund. Thereafter, (1) two-thirds of the money in the fund shall be used to reimburse claims from physicians for payment for emergency services provided by all physicians, except those physicians employed by county hospitals or district hospitals, in general acute care hospitals that provide basic or comprehensive emergency services up to the time the patient is stabilized, when such services would otherwise be uncompensated, and (2) one-third of the money in the fund shall be distributed for other emergency medical services as determined by the Director of Public Health. Interest earned on the two-thirds portion of the fund to be used to reimburse claims shall be used for the same purpose. Interest earned on the one-third portion of the fund to be used for other emergency medical services shall be used for the same purpose. If, of the two-thirds portion of the fund, money remains after reimbursing all appropriate and approved claims for a disbursement period, that money shall only be used to reimburse claims in one or more future disbursement periods.

(c) Administration of Fund. The Director of Public Health shall determine which claims shall be reimbursed by the fund and the appropriate amount of reimbursement, provided that no physicians shall be reimbursed greater than forty percent (40%) of their losses in accordance with Health and Safety Code Section 1797.98c. Since it is anticipated that the fund will only be sufficient to reimburse a fraction of requests for reimbursement from physicians, the Director shall equitably prorate payments so that the amount of payments from the fund is based upon the magnitude of a physician's losses. The Controller shall be responsible for all other administrative duties with respect to the fund, including, but not limited to, establishing procedures and time schedules for the submission and processing of claims. The Controller shall report to the Legislature on the implementation and status of the fund as required in Health and Safety Code Section 1797.98b. The Controller and Director of Public Health shall separately or jointly issue rules and regulations governing any matters relating to the fund and the reimbursement procedures. Such rules and regulations shall be issued within six months of the adoption of this ordinance. The Director of Public Health shall provide a quarterly report to the Budget Analyst of all expenditures made from this fund during the immediately preceeding three months. In addition, no expenditures in excess of ~~$10,000~~ $5,000 for any one payee will be made from this fund without first receiving the approval, by appropriation ordinance, of the Board of Supervisors.

4/13/88
BST

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(d) Accumulation of Money in Fund. The balance remaining in the Emergency Medical Services Fund at the close of each fiscal year shall be deemed to have been provided for a specific purpose within the meaning of City Charter Section 6.306 and shall be carried forward and accumulated in said fund for the purposes recited herein.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Theodore R. Lakey
Deputy City Attorney

1809g

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver
Noes: Supervisors Walker	Noes: Supervisors Walker
	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
97-88-13

JUN 29 1988
Date Approved

Art Agnos
Mayor

SECOND DRAFT

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 16.55-6 THERETO, TO PROVIDE FOR RECIPROCITY BETWEEN THE RETIREMENT SYSTEM AND OTHER PUBLIC AGENCY PENSION PLANS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article IV, Section 16.55-6 of the San Francisco Administrative Code is hereby added to read as follows:

Section 16.55-6. Reciprocal Benefits

This section shall extend the following rights in the Retirement System to members of any other public agency retirement system (hereinafter "reciprocal system") which adopts similar reciprocal provisions in their retirement ordinances or plans pursuant to Sections 20042, 20043, 31840.2 and 45310.5 of the Government Code, and who by contract agree to extend the benefits thereof to the Retirement System; provided that such member enters employment and becomes a member under the Retirement System or the reciprocal system within six months of terminating his or her employment under such other reciprocal system or the Retirement System.

6/7/88 e

(a) Notwithstanding any provisions of the Retirement System or a reciprocal system plan in the matter of vesting, any member subject to Charter Sections 8.509, 8.584, 8.586 and 8.588 whose movement between systems

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occurs as herein specified shall have the right to elect to leave his or her accumulated contributions on deposit irrespective of the amount of such contributions or length of service. Interest on said accumulated contributions shall accrue at plan rates. If a member does not vest or qualify for a reciprocal benefit the member shall receive a refund contributions plus interest.

(b) The average monthly salary during any period of service as a member of a reciprocal system shall be considered compensation earned or earnable by a member of the Retirement System for purposes of computing final average compensation for such member according to the applicable Charter provisions, provided the member retires concurrently under both systems and is credited with such period of service under one reciprocal system at the time of retirement.

(c) For the sole purpose of meeting minimum service qualifications for benefits and retirement allowances under the Retirement System, service shall also include service rendered as an officer or employee of a reciprocal system if the salary for such service constitutes compensation earned or earnable by a member of this system. For police and fire members of the Retirement System subject to Charter Sections 8.586 and 8.588, if Retirement System service is less than 25 years at the time of retirement, the member shall receive a pro rata portion of the benefit for 25 years of service.

Police and fire members of the Retirement System subject to Charter Sections 8.586 and 8.588, with 25 or more years of service credit with the Retirement System, shall receive benefits based on Retirement System service only as defined by Charter Sections 8.586 and 8.588.

(d) A member shall be retired for disability and receive a retirement allowance based on the service credited to him or her at the time of retirement during any period in which he or she receives a disability retirement allowance under a reciprocal system; provided, that such allowance shall not exceed an amount which when added to the allowance paid under the reciprocal system equals the allowance which would be paid for a non-service connected disability if all the member's service had been credited under the reciprocal system; and provided further, that such allowance shall in no event be less than an annuity which is the actuarial equivalent of the member's contributions, whether or not the disability is for service connected reasons. The minimum allowance provisions of the City charter will not be applied if the member has less than 10 years of credited service under the Retirement System. In such a case, the disability allowance paid by the Retirement System shall be based on San Francisco service only.

(e) The death benefit for a member who dies from non-industrial causes as a member of a reciprocal system shall not exceed an amount which when added to the death benefit paid for such member under the reciprocal system equals the death benefit payable under that system had all reciprocal service been rendered under that system; provided, however, that such death benefit shall be at least the amount of the member's accumulated contributions in the Retirement System. If death is caused by industrial injury or disease in the reciprocal system, the death benefit shall be the amount of the member's accumulated contributions in the Retirement System. For a member of the Retirement System who dies from non-industrial causes, the minimum allowance provisions will not be applied if the member needs service rendered in a reciprocal system to meet minimum service qualification for a survivor allowance. In such a case, the allowance paid by the Retirement System shall be based on San Francisco service only.

(f) The Retirement Board shall on the request of a reciprocal system supply information and data necessary for administration of such system as it is affected by membership in and service credited under the Retirement System.

(g) Interpretation of this section shall be made consistent with the city charter and with reference to interpretations that have been made relative to the reciprocal benefit provisions of the Public Employees' Retirement System and 1937 County Employees' Retirement Act upon which this section is based and which this section is intended to implement. This section shall not apply to members who transfer solely within the Retirement System between miscellaneous, police and fire plans.

(h) These provisions shall apply only to a member whose termination and entry into employment resulting in a change in membership from the Retirement System to such other reciprocal system or from such other reciprocal system to the Retirement System occurred after such acceptance by the Board of Supervisors or after the effective date specified in the agreement; provided, however, that provisions relating to computation of final compensation shall apply to any other member if such provision would have applied had the termination and entry into employment occurred after such acceptance or determination by a system's governing board.

(i) Reciprocal rights under this Section shall be modified as necessary to conform to amendments to the Public Employees' Retirement Law or the County Employees' Retirement Law of 1937 as provided in Government Code Section 20042.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

By _____ 6/15/88
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading

June 13, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

Finally Passed

June 20, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
97-87-83

JUN 29 1988
Date Approved

_____
Mayor

FILE NO. 101-87-97

ORDINANCE NO. 276-88

RO #7311 SA #170

(Government Funding)

APPROPRIATING $8,862 FOR FEES AND OTHER COMPENSATION, AND RESCINDING $8,862 FROM SERVICES OF OTHER DEPARTMENTS, RENT BOARD, FOR FISCAL YEAR 1987-88, AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
65-00-00	Rent Board		
30-3400 (404012)	Controller - Data Processing	$6,576	
30-3510	City Mail Services	2,286	
02-0400 (404012)	Fees and Other Compensation		$8,862
	Total	$8,862	$8,862

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE SUBJECT TO RELEASE BY THE BOARD OF SUPERVISORS' FINANCE COMMITTEE OF $2,286 RESERVED PER ORDINANCE 51-88

John C Farrell
CONTROLLER

JUN 02 1988

ac(0721P89)

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Board of Supervisors, San Francisco

Passed for Second Reading
June 13, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Hongisto

Finally Passed
June 20, 1988
Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-97

JUN 29 1988
JUN 29
Date Approved

Mayor

Amended in Cmte. 6/7/88

FILE NO. 101-87-100

ORDINANCE NO. 277-88

RO #7315 SA #169

(Government Funding)

APPROPRIATING $46,000 FOR SERVICES OF OTHER DEPARTMENTS - CITY ATTORNEY, MUNICIPAL RAILWAY, FOR FISCAL YEAR 1987-88, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN, PLACING IN RESERVE $20,711.14.

6/7/88 BST

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
31-002	Municipal Railway Fund		
35-00-00	Municipal Railway		
90-9199 (045484)	Transit Impact Development Fees	$46,000	
41-4200 (560193)	Services of Other Departments-City Attorney		$46,000
	Total	$46,000	$46,000

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

6/7/88 BST

Section 3. Funds in amount $20,711.14 are hereby held in reserve until released by the Finance Committee.

6/7/88 BST

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

MAY 25 1988

1n 2288A

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Noes: Supervisors Nelder	
Absent: Supervisors Hongisto	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-100

JUN 29 1988
Date Approved

Mayor

FILE NO. 101-87-101

ORDINANCE NO. 278-88

RO #7320 SA #144

(Government Funding)

APPROPRIATING $80,000 FOR MEDICAL SERVICES CONTRACTS, COMMUNITY MENTAL HEALTH, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary (000008)	Reserve for Women's Alcohol Center	$80,000	
87-28-20	Community Mental Health		
10-1010 (732180)	Medical Services Contracts		$80,000
	Total	$80,000	$80,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE SUBJECT TO RELEASE BY THE BOARD OF SUPERVISORS' FINANCE COMMITTEE OF $80,000 RESERVED PER ORDINANCE 50-88

John C Farrell
CONTROLLER

MAY 25 1988

ac(0721P93)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Maher	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-101

JUN 29 1988
Date Approved

Mayor

Amended in Cmte. 6/7/88

FILE NO. 101-87-103

ORDINANCE NO. 279-88

RO #7301 - SA #158

(Government Funding)

6/7/88 BST APPROPRIATING ~~$125,000~~ $75,000 FOR PLATFORM SALARIES AND RESCINDING ~~$125,000~~ $75,000 FROM PERMANENT SALARIES MISCELLANEOUS, MUNICIPAL RAILWAY, FOR FISCAL YEAR 1987-88 AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
31-001	Municipal Railway Operating Fund		
35-00-00	Municipal Railway		
6/7/88 BST 01-0010 (560946)	Permanent Salaries - Miscellaneous	$75,000 ~~$125,000~~	
01-0040 (560664)	Platform Salaries		$75,000 ~~$125,000~~
	Total	$75,000 ~~$125,000~~	$75,000 ~~$125,000~~

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

6/7/88 BST PUNDS AVAILABLE SUBJECT TO RELEASE BY THE BOARD OF SUPERVISORS' FINANCE COMMITTEE OF ~~$125,000~~ $75,000 RESERVED PER ORDINANCE 101-88:

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

By John C. Farrell
CONTROLLER

lp-1137M-3

JUN 02 1988

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Board of Supervisors, San Francisco

Passed for Second Reading
June 13, 1988

Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward

Absent: Supervisors Hongisto

Finally Passed
June 20, 1988

Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-87-103

JUN 29 1988
Date Approved

Mayor

FILE NO. 101-87-104 ORDINANCE NO. 280-88

R/O #7310 S.A. #161

(Government Funding)

APPROPRIATING $1,070,000 FOR PERMANENT SALARIES - MISCELLANEOUS, OVERTIME - UNIFORM, HOLIDAY PAY - UNIFORM, AND DIFFERENTIAL PAY AND RESCINDING $1,070,000 FROM PERMANENT SALARIES - UNIFORM, POLICE, FOR FISCAL YEAR 1987-88, AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
38-01-44	Police		
01-0020 (582015)	Permanent Salaries - Uniform	$1,070,000	
01-0010 (580019)	Permanent Salaries - Miscellaneous		$ 400,000
03-0101	Overtime - Uniform		430,000
03-0121	Holiday Pay - Uniform		165,000
02 0140	Differential Pay		75,000
	Total	$1,070,000	$1,070,000

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

FUNDS AVAILABLE SUBJECT TO RELEASE BY THE BOARD OF SUPERVISORS' FINANCE COMMITTEE OF $1,070,000 RESERVED PER ORDINANCE 51-88.

BY: Theodore Lakey
DEPUTY CITY ATTORNEY

John C Farrell
CONTROLLER

JUN 02 1988

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Maher	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-104

JUN 29 1988
Date Approved

Mayor

FILE NO. 101-87-105

ORDINANCE NO. 281-88

RO# 7312 SA# 164

(Government Funding)

APPROPRIATING $8,000 FOR HOLIDAY PAY AND RESCINDING $8,000 FROM MANDATORY FRINGE BENEFITS, JUVENILE COURT, FOR FISCAL YEAR 1987-88, AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
12-02-00	Juvenile Court		
04-0600 (319558)	Mandatory Fringe Benefits	$8,000	
03-0120	Holiday Pay		$8,000
	Total	$8,000	$8,000

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Sakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER

JUN 02 1988

ac(0721P90)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Hongisto	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-105

JUN 29 1988
Date Approved

Mayor

FILE NO. 101-87-107

ORDINANCE NO. 282-88

R/O #7298
S.A. #167

(Government Funding)

APPROPRIATING $100,000 FOR JUDGEMENT AND CLAIMS, SAN FRANCISCO PORT COMMISSION, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
34-001	S. F. Harbor Improvement Operating Fund		
GL 490 (026013)	Unappropriated Revenue	$100,000	
39-00-00	San Francisco Port Commission		
14-1450 (596007)	Judgement and Claims		$100,000
	Total	$100,000	$100,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore P. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER

MAY 24 1988

(JC#1160M-2)

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Board of Supervisors, San Francisco

Passed for Second Reading
June 13, 1988

Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward

Absent: Supervisors Britt Maher

Finally Passed
June 20, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-107

JUN 29 1988
Date Approved

Mayor

Amendment of the Whole
6/7/88

FILE NO. 101-87-108

ORDINANCE NO. 283-88

R/O #7293
S.A. #155

(Government Funding)

APPROPRIATING $15,700,000 FOR PURCHASE OF POWER FOR RESALE, HETCH-HETCHY, FOR FISCAL YEAR 1987-88, AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
33-001	Hetch Hetchy Operating Fund		
GL 490 (025015)	Unappropriated Revenue	$15,700,000	
32-00-00	Hetch-Hetchy		
10-1801	Power For Resale		$15,700,000
	Total	$15,700,000	$15,700,000

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY Mara E. Rosales
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

JUN 07 1988

(jc#1150M)

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Board of Supervisors, San Francisco

Passed for Second Reading
June 13, 1988

Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward

Absent: Supervisors Hongisto

Finally Passed
June 20, 1988

Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-108

JUN 29 1988
Date Approved

Mayor

FILE NO. 101-87-109 ORDINANCE NO. 284-88

RO #7282 SA #146

(Government Funding)

APPROPRIATING $86,881 FOR PROGRAM PROJECT BUDGET (TRANSIT SHELTER PROGRAM), MUNICIPAL RAILWAY, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
31-580	Municipal Railway Fund Group		
	Transit Shelter Program		
G.L. 490 (048371)	Unappropriated Revenue	$86,881	
35-00-00	Municipal Railway		
20-2010 ( )	Program Project Budget		
Project	Transit Shelter Program		
02-0200	Temporary Salaries		$22,666
04-0606	Social Security		1,702
04-0610	Health Services		553
11-1301	Office Supplies		300
11-1306	Minor Furnishings		1,135
11-1391	Fuel		200
11-1399	Other Material and Supplies		38,889
10-1204	Vehicle Rental		1,272
10-1205	Parking		120
22-2311	Data Processing Equipment		5,642
22-2220	Data Collectors		3,852
22-2261	Desk		550
30-3080	Services of other Departments - DPW		10,000
	Total	$86,881	$86,881

//////////
//////////

ac(0721P86)

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lofley
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C. Farrell
CONTROLLER

MAY 24 1988

Board of Supervisors, San Francisco

Passed for Second Reading

June 13, 1988

Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward

Absent: Supervisors Hongisto

Finally Passed

June 20, 1988

Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Gonzalez Maher Ward

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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-87-109

JUN 29 1988
Date Approved

Mayor

FILE NO. 101-87-112

ORDINANCE NO. 285-88

RO #7318 SA #108

(Government Funding)

APPROPRIATING $350,000 FOR CAPITAL IMPROVEMENT PROJECT (MAINTENANCE DREDGING), PORT, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
34-001	S.F. Harbor Improvement Operating Fund		
39-00-00	Port		
G.L. 490 (026013)	Unappropriated Revenue	$350,000	
21-2030 (590042)	Capital Improvement Project		
Project 617-01	Maintenance Dredging		$350,000
	Total	$350,000	$350,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C. Fauce
CONTROLLER

MAY 25 1988

ac(0721P94)

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Board of Supervisors, San Francisco

Passed for Second Reading

June 13, 1988

Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward

Absent: Supervisors Britt Maher

Finally Passed

June 20, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-112

JUN 29 1988
Date Approved

Mayor

Amended in Cmte. 6/7/88

FILE NO. 101-87-114

ORDINANCE NO. 286-88

RO #7292 SA #153

(Government Funding)

6/7/88 BST APPROPRIATING ~~$231,237~~ $208,500 FOR TELEPHONE SERVICES, SOCIAL SERVICES, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
6/7/88 BST Sub. 000005	Balance Budget Reserve	$170,552 ~~$169,151~~	
01-291	Welfare Assistance and Administration Fund		
45-00-00	Social Services		
99-9990 (160499)	Revenue Transfer - In from Fund # 01-291, Welfare Assistance and Administration	37,948 ~~42,086~~	
10-1230 (647727)	Telephone		$208,500 ~~$231,237~~
	Total	$208,500 ~~$231,237~~	$208,500 ~~$231,237~~
01-291	Welfare Assistance and Administration		
45-00-00	Social Services		
60-6313 (052621)	A.F.D.C. Administration - Federal	25,073 ~~27,807~~	
60-6346 (052548)	Food Stamp Administration - Federal	12,875 ~~14,279~~	
49-4900 (840041)	Revenue Transfer - Out to Fund #01-001, General Fund		$37,948 ~~$42,086~~
	Total	~~$42,086~~	~~$42,086~~
		$37,948	$37,948

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER

MAY 25 1988

In-1137M-2

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Board of Supervisors, San Francisco

Passed for Second Reading
June 13, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Hongisto

Finally Passed
June 20, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-87-114

JUN 29 1988
Date Approved

Mayor

Amendment of the whole
6/7/88

FILE NO. 101-87-120

ORDINANCE NO. 287-88

RO #7326 SA #156

(Government Funding)

APPROPRIATING $75,000 FOR TEMPORARY, SALARIES, MANDATORY FRINGE BENEFITS SUPPLIES, MEDICAL EXAMINER/CORONER, FOR FISCAL YEAR 1987-88, AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-463	S/B H27 Lab Costs		
53-5304	Court Fines	$75,000	
74-00-00	Medical Examiner/Coroner		
02-0200 (424036)	Temporary Salaries		$61,334
04-0600	Mandatory Fringe Benefits		1,936
11-1300	Material and Supplies		11,730
	Total	$75,000	$75,000

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY Laura E. Loveless
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

JUN 07 1988

lp 1193M 3

Board of Supervisors, San Francisco

Passed for Second Reading

June 13, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

Finally Passed

June 20, 1988

Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Gonzalez Maher Ward

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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-120

JUN 29 1988
Date Approved

Mayor

Amended in Cmte. 6/7/88

FILE NO. 101-87-123

ORDINANCE NO. 288-88

R/O # 7300 S.A. # 152

(Government Funding)

6/7/88 BST

APPROPRIATING ~~$14,478~~ $2,191 FOR PERMANENT SALARIES, AND MANDATORY FRINGE BENEFITS AND RESCINDING ~~$14,478~~ $2,191 FROM PERMANENT SALARIES, MANDATORY FRINGE BENEFITS, FOR THE APPROPRIATION OF FUNDS FOR THE RECLASSIFICATION OF ONE (1) PERMANENT POSITION, PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

6/7/88 BST

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
09-051	Special Revenue Pooled Funds - Public Utilities Commission		
40-06-00	PUC - Energy Conservation		
01-0010 (561407)	Permanent Salaries	$1,675 ~~$11,308~~	
04-0600	Retirement	301 ~~2,035~~	
04-0606	Social Security	126 ~~849~~	
04-0610	Health Service	89 ~~286~~	
01-0010 (561407)	Permanent Salaries		$1,675 ~~$11,308~~
04-0600	Retirement		301 ~~2,035~~
04-0606	Social Security		126 ~~849~~
04-0610	Health Service		89 ~~286~~
	Total	$2,191 ~~$14,478~~	$2,191 ~~$14,478~~

//////
//////

Section 2. Funds are hereby appropriated reflecting the reclassification of one (1) permanent position by amendment to the annual salary ordinance (Board of Supervisors' File No. 102-87-34) as follows:

Fund Department Classification	Special Revenue - PUC Public Utilities Rate of Pay	Created	Abolished
1888A Manager, Bureau of Energy Conservation	1,723 B 2094	1	
9192 Environmental Transit Manager	2,192 B 2,192		1
Total		1	1

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER

APPROVED:
CIVIL SERVICE COMMISSION

JUN 02 1988

BY: John J. Walsh
GENERAL MANAGER, PERSONNEL

(jc1136M-2)

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
June 13, 1988	§	June 20, 1988
	§	
	§	
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker	§	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
	§	
	§	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-123

JUN 29 1988
Date Approved

Mayor

FILE NO. 101-87-124

ORDINANCE NO. 289-88

RO #7321 SA #143

(Government Funding)

APPROPRIATING $293,163 FOR PERMANENT SALARIES, MANDATORY FRINGE BENEFITS, OVERTIME, DATA/WORD PROCESSING EQUIPMENT MAINTENANCE, MATERIAL AND SUPPLIES, AND SERVICES OF OTHER DEPARTMENTS, AND RESCINDING $293,163 FROM PERMANENT SALARIES, MANDATORY FRINGE BENEFITS, AND TEMPORARY SALARIES, DEPARTMENT OF PUBLIC HEALTH - CENTRAL OFFICE, FOR FISCAL YEAR 1987-88 AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
83-01-00	DPH - Administration		
04-0600 (441006)	Mandatory Fringe Benefits	$ 30,000	
Project 017-01	DPH - Bayview Hunters Point Project		
01-0050 (732347)	Permanent Salaries - Nurses	10,000	
83-03-00	DPH - Laboratory		
01-0010 (441154)	Permanent Salaries - Miscellaneous	20,000	
83-04-00	DPH - Health Centers		
01-0010 (732404)	Permanent Salaries - Miscellaneous	40,000	
04-0600	Mandatory Fringe Benefits	30,000	
83-05-00	DPH - Environmental Health		
02-0200 (732412)	Temporary Salaries	80,000	
04-0600	Mandatory Fringe Benefits	15,000	
83-07-00	DPH - Disease Control		
01-0050 (732420)	Permanent Salaries - Nurses	25,000	
83-12-00	DPH - AIDS		
04-0600 (732388)	Mandatory Fringe Benefits	$ 15,000	
83-12-02	DPH - AIDS Laboratory		
01-0010 (732396)	Permanent Salaries - Miscellaneous	28,163	
01-001	General Fund		
83-01-00	DPH Administration		
03-0100 (441006)	Overtime		$ 4,838
10-1060	Data/Word Processing Equipment Maintenance		50,000
11-1301	Material and Supplies		2,000
30-3180	Services of Other Departments - Building Maintenance		61,500
Project 017-01	DPH - Bayview Hunters Point Project		
01-0010 (732347)	Permanent Salaries - Miscellaneous		29,200
04-0600	Mandatory Fringe Benefits		3,000
83-03-00	DPH - Laboratory		
04-0600 (441154)	Mandatory Fringe Benefits		400
30-3890	Services of Other Departments - Miscellaneous Departments		1,000
83-05-00	DPH - Environmental Health		
03-0100 (441501)	Overtime		9,725
83-08-00	DPH - Dental		
01-0010 (441808)	Permanent Salaries - Miscellaneous		900
83-12-00	DPH - AIDS		
01-0010 (732388)	Permanent Salaries - Miscellaneous		2,500

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ac(0721P98)

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DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
83-12-03	DPH - AIDS Health Centers		
01-0010 (732453)	Permanent Salaries - Miscellaneous		$ 40,000
83-12-04	DPH - AIDS Disease Control		
04-0600 (732461)	Mandatory Fringe Benefits		15,800
83-14-00	DPH - Senior Health Services		
01-0050 (732438)	Permanent Salaries - Nurses		2,500
11-1301	Material and Supplies		2,600
Project 018-01	North of Market Health Services		
01-0010 (732446)	Permanent Salaries - Miscellaneous		63,900
04-0600	Mandatory Fringe Benefits		3,300
	Total	$293,163	$293,163

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

JUN 02 1988

ac(0721P99)

Board of Supervisors, San Francisco

Passed for Second Reading

June 13, 1988

Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward

Absent: Supervisors Hongisto

Finally Passed

June 20, 1988

Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-87-124

JUN 29 1988
Date Approved

Mayor

Amendment of the Whole
6/7/88

FILE NO. 101-87-126

ORDINANCE NO. 290-88

RO #7325 SA #166A thru. #166D

(Government Funding)

APPROPRIATING $2,487,100 FOR PERMANENT SALARIES, MANDATORY FRINGE BENEFITS, OTHER SERVICES, MATERIALS AND SUPPLIES, OVERTIME AND TEMPORARY SALARIES, $1,226,331 FOR REDUCTION OF ESTIMATED REVENUES AND $8,243,900 FOR THE RESERVE FOR REVENUE SHORTFALL AND RESCINDING $4,784,576 FROM PERMANENT SALARIES, HOLIDAY PAY, TEMPORARY SALARIES, MANDATORY FRINGE BENEFITS, MEDICAL SERVICE CONTRACTS, FACILITIES MAINTENANCE AND CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PUBLIC HEALTH - CENTRAL OFFICE, COMMUNITY MENTAL HEALTH, LAGUNA HONDA HOSPITAL AND SAN FRANCISCO GENERAL HOSPITAL FOR FISCAL YEAR 1987-88, AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 491 (000026)	Reserves		
Subsidiary 000006	Reserve for Health Service Programs	$ 3,743,000	
Subsidiary 000007	Reserve for Tenderloin Center	280,000	
G.L. 496 (000026)	Unappropriated Revenue Reserve		
Subsidiary 000005	Balance Budget Reserve	2,756,474	
	Expenditure Appropriations		
83-00-00	Public Health-Central Office		
83-03-00	DPH - Laboratory Services		
01-0010 (441154)	Permanent Salaries	$ 9,000	
83-04-00	DPH - Health Centers		
01-0010 (732404)	Permanent Salaries	110,000	
04-0600	Mandatory Fringe Benefits	40,000	
83-05-00	DPH - Environmental Health		
01-0010 (732412)	Permanent Salaries	$ 48,000	
02-0200	Temporary Salaries	40,000	
04-0600	Mandatory Fringe Benefits	100,000	
83-07-00	DPH - Disease Control		
01-0010 (732420)	Permanent Salaries	35,000	
83-08-00	DPH - Dental Clinic		
01-0010 (441808)	Permanent Salaries	9,000	
83-09-00	DPH - Maternal and Child (Family Health)		
01-0010 (441857)	Permanent Salaries	5,000	
04-0600	Mandatory Fringe Benefits	5,000	
10-1010	Medical Service Contract	600,000	
83-11-00	DPH - Emergency Medical Services		
01-0010 (732198)	Permanent Salaries	20,000	
01-0050	Permanent Salaries - Nurses	20,000	
04-0600	Mandatory Fringe Benefits	20,000	
83-12-00	DPH - Aids Health Center		
01-0050 (732453)	Permanent Salaries - Nurses	75,000	
02-0200	Temporary Salaries	100,000	
04-0600	Mandatory Fringe Benefits	15,000	
83-14-00	DPH - Senior Health Services		
01-0010 (732438)	Permanent Salaries	24,000	
01-0010 (732446)	Permanent Salaries - North of Market	60,000	
	Total	$ 1,335,000	

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DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
	Revenue Appropriations		
83-00-00	**Public Health-Central Office**		
60-6220 ( )	County Health Services		$ 77,473
60-6221 ( )	Medically Indigent Adults		15,132
	Total		$ 92,605
	Expenditure Appropriations		
83-00-00	**DPH - Central Office**		
01-0010 ( )	Permanent Salaries-Miscellaneous		$ 45,000
10-1299 (441006)	Other Services		120,000
11-1301 (732404)	Material and Supplies		15,000
11-1365 (441808)	Material and Supplies		3,000
04-0600 (441600)	Mandatory Fringe Benefits		2,100
04-0600 ( )	Mandatory Fringe Benefits		2,000
	Total		$ 187,100
87-00-00	**Community Mental Health**		
10-1010 (730515)	Medical Service Contracts	$ 219,000	
60-6075 (040915)	State Alcohol Fund	128,181	
60-6074 (048041)	Community Mental Health		$ 674,063
60-6220 (048041)	County Health Services		30,670
60-6221	Medically Indigent Adult		132,078
60-6299	Miscellaneous Revenues		150,000
60-6074 (040915)	Community Mental Health Services		104,509
60-6221	Medically Indigent Adult		4,338
70-7698 (040915)	Short Doyle Medical		28,468
	Total		$ 1,124,126

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DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
99-00-00	**General Fund Unallocated**		
48-4830 (876789)	Contribution to #36-001 - Hospital Operating Fund; #86-00-00 San Francisco General Hospital		$ 8,023,324
48-4830 (859330)	Contribution to #37-001 - Laguna Honda Operating Fund; #85-00-00 - Laguna Honda Hospital	$ 965,500	
	Total	$ 9,427,155	$ 9,427,155
36-001	**San Francisco General Hospital**		
G.L. 491 ( )	**Reserves**		
Subsidiary 000005	Reserve for Revenue Hospital		$ 8,243,900
86-00-00	**San Francisco General Hospital**		
	Revenue Appropriations		
97-9801 (199471)	Contribution from #01-001 - General Fund; #99-00-00 - General Fund Unallocated	$ 8,023,324	
	Expenditure Appropriations		
01-0010 (462580)	Permanent Salaries-Miscellaneous	1,108,200	
01-0030	Permanent Salaries-Crafts	500,000	
01-0050	Permanent Salaries-Nurses	691,800	
21-2020 ( )	**Facilities Maintenance Projects**		
Project 182	Radiology/Computer Center	16,717	
Project 183	San Francisco General Hospital Pharmacy Remodeling	89,927	
Project 204	Window Sash	40,000	
Project 210	Door Locks	3,529	

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DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
20-2030 (770347)	Capital Improvement Project		
Project 603-00	Border Room Sound Containment	$ 27,886	
Project 624-00	Liquid Oxygen Tank Slab	725	
Project 625-00	Building 80-90 Parking Area	34,053	
Project 633-00	Building 80-90 Ramp	329	
Project 641-00	AIDS Ward 84	7,410	
02-0200 (462580)	Temporary Salaries		$ 400,000
03-0100	Overtime		1,100,000
04-0600	Mandatory Fringe Benefits		800,000
	Total	$10,543,900	$10,543,900
37-001	Laguna Honda Operating Fund		
85-00-00	Laguna Honda		
	Revenue Appropriations		
70-7602 (047316)	MediCal	$ 235,500	
70-7603	Medicare	29,600	
60-6220	County Health Services		$ 9,600
97-9801 (180315)	Contribution from #01-001 - General Fund; General Fund Unallocated		965,500
	Expenditure Appropriations		
01-0010 (448274)	Permanent Salaries-Miscellaneous	170,000	
02-0200	Temporary Salaries	370,000	
03-0120	Holiday Pay	125,000	
04-0606	Social Security	45,000	
	Total	$ 975,100	$ 975,100

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Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

JUN 06 1988

ac(0900P)

Board of Supervisors, San Francisco

Passed for Second Reading

June 13, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward

Absent: Supervisors Nelder

Finally Passed

June 20, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-87-126

JUN 29 1988
Date Approved

_____
Mayor

FILE NO. 101-87-127

ORDINANCE NO. 291-88

RO #-7324 SA #-145

(Government Funding)

APPROPRIATING $959,500 FOR OTHER CONTRACTUAL SERVICES, SEWER SERVICE, OTHER SERVICES, MATERIAL AND SUPPLIES, EQUIPMENT PURCHASE, SERVICES OF OTHER DEPARTMENTS - LIGHT, HEAT AND POWER, AND CAPITAL IMPROVEMENT PROJECT, LAGUNA HONDA HOSPITAL, FOR FISCAL YEAR 1987-88; AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
37-001	Laguna Honda Hospital Operating Fund		
85-00-00	Laguna Honda Hospital		
70-7602 (047316)	Medi-Cal	$489,500	
70-7603	Medicare	470,000	
10-1090 (448274)	Other Contractual Services		$138,000
10-1150	Sewer Service		19,000
10-1200	Other Services		84,000
11-1300	Material and Supplies		487,000
22-2200	Equipment Purchase		48,000
30-3300	Light, Heat and Power		23,000
21-2030 ( )	Capital Improvement Project		
Project ( )	Replacement of Gas Tank		108,000
Project ( )	Replacement of diesel fuel Tank		15,000
Project ( )	Laundry, Showers, Sinks		$37,500
	Total	$959,500	$ 959,500

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Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Sakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C. Farrell
CONTROLLER

MAY 31 1988

1p-0872P-2&3

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Hongisto	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-87-127

JUN 29 1988
Date Approved

Mayor

6/7/88

FILE NO. 101-87-128

ORDINANCE NO. 292-88

RO # 7322 SA # 171

Government Funding)

APPROPRIATING $100,000 FOR CAPITAL IMPROVEMENT PROJECT (RENOVATION OF CENTRAL AID STATION), DEPARTMENT OF PUBLIC HEALTH, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-331	Real Property Fund - General		
83-00-00	D.P.H. - Central Office		
Sub. 312-000008	Public Health	$100,000	
83-04-00	D.P.H. Health Centers		
21-2030	Capital Improvement Project		
Project	Renovation of Central Aid Station		$100,000
	Total	$100,000	$100,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature] John C Farrell
CONTROLLER

JUN 03 1988

lp-1193M-2

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Board of Supervisors, San Francisco

Passed for Second Reading
June 13, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Ward Molinari Nelder Silver Walker

Finally Passed
June 20, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-87-128

JUN 29 1988
Date Approved

[signature]
Mayor

FILE NO. 102-87-13 ORDINANCE NO. 293-88

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 12

AMENDING ORDINANCE NO. 330-87 (ANNUAL SALARY ORDINANCE, 1987/88) REFLECTING THE RECLASSIFICATION OF SIX POSITIONS AT THE DEPARTMENT OF PUBLIC WORKS, BUREAU OF WATER POLLUTION CONTROL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and sections of Ordinance No. 330-87 (Annual Salary Ordinance, 1987/88) are hereby amended so that the same shall read as follows:

(Amend-ment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Dept.: 90	Public Works	
		Division: 07	Water Pollution Control	
		Section: 00	Water Pollution Control	
		Program: 0000	No Program Defined	
		Fund: 09999	DPW Personnel Fund	
		Index: 780056	DPW Pers Fd-WPC	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Regular Misc.	
5 abolished	16	2471 A	Water Quality Chemist..... Z	$1214B1470
5 added	5	2473 A	Marine Biologist.....J,Z	1214B1470
1 abolished	4	2478 A	Senior Sewage Treatment Chemist..... Z	1506B1827
1 added	1	2474 A	Senior Marine Biologist.....J,Z	1506B1827

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

John J. Walsh
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lieby
DEPUTY CITY ATTORNEY

NO. 12

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Board of Supervisors, San Francisco

Passed for Second Reading

June 13, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker

Noes: Supervisors Nelder

Absent: Supervisors Ward

Finally Passed

June 20, 1988

Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 102-87-13

JUN 29 1988
Date Approved

Mayor

FILE NO. 102-87-34 ORDINANCE NO. 294-88

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 33A

AMENDING ORDINANCE NO. 330-87 (ANNUAL SALARY ORDINANCE 1987/88) REFLECTING THE DELETION OF ONE POSITION IN CLASS 9192 TRANSIT ENVIRONMENTAL COORDINATOR AND THE ESTABLISHMENT OF ONE POSITION IN A NEW CLASSIFICATION OF 1888 MANAGER, BUREAU OF ENERGY CONSERVATION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. 330-87 (Annual Salary Ordinance 1987/88) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Dept.: 40	Public Utilities Commission	
		Division: 06	PUC Bureau of Energy	
		Section: 00	PUC-Energy Conservation Bureau	
		Program: 2116	PUC-Energy Conservation	
		Fund: 09051	Public Utilities Commission	
		Index: 561407	PUC-Energy Conservation	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Misc.	
1 abolished	0	9192 A	Transit Environmental Coordinator Z,SC	$2192B2192
1 added	1	1888 A	Manager, Bureau of Energy Conservation, Public Utilities Commission J,Z	1723B2094

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: DEPUTY CITY ATTORNEY

NO. 33A

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Board of Supervisors, San Francisco

Passed for Second Reading

June 13, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward

Absent: Supervisors Nelder

Finally Passed

June 20, 1988

Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker

Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 102-87-34

JUN 29 1988
Date Approved

Mayor

FILE NO. 121-88-4 ORDINANCE NO. 295-88

[Fees]
AMENDING PART II, CHAPTER VIII, ARTICLE 24, OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 2404.1 THEREOF INCREASING THE FEE FOR A STREET ARTIST CERTIFICATE.

Note: Additions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter VIII, Article 24, San Francisco Municipal Code (Police Code) is hereby amended by amending Section 2404.1 thereof to read as follows:

Section 2404.1. Street Artist Certificate: Fee. Pursuant to the provisions of Proposition K, adopted by the voters at an election held on November 8, 1983, the Board of Supervisors hereby establishes the fee for a Street Artist Certificate to be as follows: The fee for a Street Artist Certificate shall be ((($40)) $57.50 and said certificate shall be valid for a period of three months from the date of issuance; except that any person certified as a street artist pursuant to the provisions of this Article shall have the option of purchasing for ((($160)) $230 a certificate valid for a period of one year from the date of issuance.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By [signature]
Deputy City Attorney

May 11, 1988

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
June 13, 1988	§	June 20, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Hongisto	§	Absent: Supervisors Gonzalez Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 121-88-4

JUN 29 1988
Date Approved

[signature]
Mayor

AMENDMENT OF THE WHOLE
5/5/88

FILE NO. 121-87-16 ORDINANCE NO. 296-88

(Tobacco Distribution)

AMENDING PART II, CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY ADDING SECTION 95 THERETO TO PROHIBIT THE FREE DISTRIBUTION OF TOBACCO IN PUBLIC AREAS

Note: The entire Section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. FINDINGS. The Board of Supervisors hereby finds that the adoption of this ordinance is necessary to the promotion of the public health, safety and welfare. Each of the reasons set forth provides a separate and independent basis for the Board's adoption of this ordinance.

1. Prohibiting the free distribution of cigarettes and cigars will promote the safety of the citizens of San Francisco. Injury and death by fire is a major safety concern for all communities. It is of special concern in San Francisco, where because of its geographical limitations of space, its residential and commercial building stock is extremely compacted. A fire in almost any part of the City immediately also threatens numerous other structures and lives. Fire is a leading cause of home injury and the leading cause of death resulting from home accidents. Each year some 6000 to 9000 people in the United States die from fire, and another 70,000 are burned badly enough to require hospitalization. Every modern home is replete with items of paper, fabric and plastics which are not only flammable (producing great amounts of flame) but also produce incredible and killing heat and acrid and usually poisonous smoke. Smoking is the leading cause of fires and fire-related deaths nationally. In San Francisco, smoking caused more than half of all fires from 1983-85 and caused 40% of all fire-related deaths from 1980-1985. Because of the compaction of buildings and often narrow streets, fires in this City pose a cost and hazard to the City's Fire Department and related agencies different from most communities. As part of its efforts to protect the public safety, the Board wishes to discourage the stimulation of the need or desire to smoke cigarettes, cigars and pipes. The danger of the free distribution of these products or tobacco for these products to any and all persons increases the already dangerous risk of fire by putting them in the hands of a certain number of people who do not or never have smoked and are not used to handling these products and to taking steps to prevent fires. Moreover, free distribution of tobacco products places them in the hands of minors who, by virtue of their inexperience and furtive smoking habits, pose an even greater risk as the initiators of fires.

2. State law prohibits the sale of cigarettes and tobacco products to minors. The free distribution of such products enables minors to have access to such products in circumvention of State law.

3. The free distribution of tobacco encourages people to begin smoking and using tobacco products and thereby become addicted to the habit, discourages people from quitting smoking, and tempts those who have quit smoking to begin smoking again. Encouraging smoking and discouraging those who are currently

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smoking from overcoming the habit endangers the public health by leading more people into habits that cause illness and death.

4. Smoking imposes economic burdens on all members of society, including those who do not smoke, through increased illness and resulting increased health care costs, loss of productive labor, and costs of providing financial support to those unable to work because of illness. It impedes the economic well-being of society to do anything to encourage or make easier tobacco use.

5. Free distribution of tobacco products promotes unsightly litter, thereby increasing the costs to the public in cleaning the streets.

6. Free distribution of tobacco products promotes pedestrian traffic congestion.

If any provision of this section, or its application to any person or circumstance, is held invalid, the remainder of the part, or the application of such provision to other persons or circumstances, shall not be affected thereby.

Section 2. Part II, Chapter VIII of th San Francisco Municipal Code (Police Code) is hereby amended by adding Section 95 thereto read as follows:

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/ / /

SEC. 95. <u>Prohibiting the Free Distribution of Tobacco in Public Places; Penalty</u>.

(a) No person, firm, association or corporation in the business of selling or otherwise distributing cigarettes or other tobacco or smoking products for commercial purposes shall in the course of such business distribute, or direct, authorize, or permit any agent or employee to distribute, (1) any cigarette or other tobacco or smoking product, including any smokeless tobacco product, or (2) coupons, certificates, or other written material which may be redeemed for tobacco products without charge, to any person on any public street or sidewalk or in any public park or playground or on any other public ground or in any public building.

(b) No agent or employee of any person, firm, association or corporation in the business of selling or otherwise distributing cigarettes or other tobacco or smoking products for commercial purposes shall in the course of such business distribute (1) any cigarette or other tobacco or smoking product, including any smokeless tobacco product, or (2) coupons, certificates, or other written material which may be redeemed for tobacco products without charge, to any person on any public street or sidewalk or in any public park or playground or on any other public ground or in any public building.

(c) Any person, firm, association or corporation who violates Subsection (a) shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of one thousand dollars ($1,000) or by imprisonment in the county

jail for a period not to exceed six months, or by both such fine and imprisonment. Each distribution of cigarettes or other tobacco or smoking products to a person shall be considered a separate offense.

(d) Any person violating Subsection (b) shall be deemed guilty of an infraction. Every violation is punishable by (1) a fine not exceeding one hundred dollars ($100) for a first violation; (2) a fine not exceeding two hundred dollars ($200) for a second violation within one year; (3) a fine not exceeding five hundred dollars ($500) for each additional violation within one year. Each distribution of cigarettes or other tobacco or smoking products to a person shall be considered a separate offense.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Paula Jesson
Deputy City Attorney

SUPERVISOR NELDER

Passed for Second Reading

Board of Supervisors, San Francisco

June 13, 1988

Ayes: Supervisors Britt, Gonzalez, Hongisto, ~~Hsieh~~, ~~Kennedy~~, Maher, Molinari, Nelder, Silver, Walker, ~~Ward~~.

Noes: Supervisors HSIEH KENNEDY WARD

~~Absent: Supervisors~~

John L. Taylor Clerk

121-87-16
File No.

JUN 29 1988
Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

June 20, 1988

Ayes: Supervisors ~~Britt~~, Gonzalez, Hongisto, ~~Hsieh~~, Kennedy, ~~Maher~~, Molinari, Nelder, Silver, Walker, ~~Ward~~.

Noes: Supervisors HSIEH

Absent: Supervisors BRITT MAHER WARD

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Art Agnos
Mayor

FILE NO. 212-88-2 ORDINANCE NO. 297-88

(Hold Harmless Agreements)

ORDINANCE AMENDING CHAPTER 1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 1.25-4 THERETO, REGARDING HOLD HARMLESS AGREEMENTS WITH THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT.

Note: All language is new; additions and substitutions have not been underlined.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 1 of the San Francisco Administrative Code is hereby amended, by adding Section 1.25-4 thereto, to read as follows:

SEC. 1.25-4. HOLD HARMLESS AGREEMENTS BETWEEN CITY AND COUNTY AND THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT. Any lease, permit, contract or other agreement between the City and County of San Francisco and the San Francisco Unified School District containing a hold harmless agreement may be executed as required by law without approval by the Board of Supervisors provided that (1) said lease, permit, contract or other agreement does not require Board of Supervisors' approval for any other reason than the fact it contains a hold harmless agreement; (2) said lease, permit, contract, or other agreement is approved as to form by the City Attorney; and (3) said lease, permit, contract or other agreement contains the following hold harmless language:

> City shall hold District and District's officers, agents and employees harmless from, and shall defend them against, any and all claims, direct or vicarious liability, damage or loss arising out of: (a) any injury to or death of any person or damage to or destruction of any property occurring in, on or about the premises, or any part thereof, from any cause whatsoever, or (b) any default by City in the observance or performance of any of the terms, covenants or conditions of this [lease, permit, contract, agreement], or (c) the use, occupancy or condition of the premises or City's activities therein. The foregoing indemnity obligation of City shall exclude only claims, liability, damage or loss which result from the negligence or wilful misconduct of District or District's authorized representatives or those which are not caused by City's actions or inactions. The provisions of this paragraph shall survive the termination of this [lease, permit, contract, agreement] with respect to any damage, destruction, injury or death occurring prior to such termination.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Hongisto	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
212-88-2

JUN 29 1988
Date Approved

Mayor

FILE NO. 101-87-2.2 ORDINANCE NO. 298-88

[Amend Annual Appropriation Ordinance]

AMENDING THE ADMINISTRATIVE PROVISIONS OF THE ANNUAL APPROPRIATION ORDINANCE BY REPEALING SECTION 10.02 THEREOF, WHICH PERMITS THE TRANSFER OF FUNDS BY THE FIRE DEPARTMENT FROM THE APPROPRIATIONS FOR PERMANENT SALARIES AND RELATED MANDATORY FRINGE BENEFITS OF FIREFIGHTERS TO THE APPROPRIATION FOR EXTENDED WORK WEEK OF FIREFIGHTERS.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Administrative Provisions of the Annual Appropriation Ordinance are hereby amended by repealing Section 10.02 as follows:

((Section 10.02. Funds appropriated for permanent salaries and related mandatory fringe benefits of uniformed members of the Fire Department may, on the recommendation of the Fire Commission, the approval of the Mayor's Office and the certification of funds by the Controller, be transferred to an appropriation for Firefighter Extended Work Week for the purposes of maintaining minimum levels of firefighter staffing during such time as the Fire Department is unable to employ the maximum number of uniformed firefighters.))

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore Lakey
Deputy City Attorney

2123g

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 31, 1988	June 6, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Maher	Absent: Supervisors Britt Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

JUN 20 1988
Date Approved

Mayor

File No.
101-87-2.2

FILE NO. 101-87-111

ORDINANCE NO. 299-88

RO #7317 SA #151

(Government Funding)

APPROPRIATING $9,707 FOR MEDICAL SERVICES CONTRACT, COMMUNITY MENTAL HEALTH, FOR FISCAL YEAR 1987-88.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1987-88 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
87-22-00	Community Mental Health		
60-6074 (048041)	Mental Health Subventions-Short-Doyle	$9,707	
10-1010 (730374)	Medical Services Contract		$9,707
	Total	$9,707	$9,707

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

MAY 25 1988

ac(0721P95)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 13, 1988	June 20, 1988
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
Absent: Supervisors Britt Maher	Absent: Supervisors Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-87-111

JUN 29 1988
Date Approved

Mayor

FILE NO. 118-87-1.7 ORDINANCE NO. 300-88

[Smoking Regulations]

AMENDING PART II, CHAPTER V, OF THE SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE) BY ADDING ARTICLE 19C THERETO, ENCOMPASSING SECTIONS 1008 THROUGH 1008.8, REGULATING SMOKING IN PUBLIC PLACES AND IN HEALTH, EDUCATIONAL AND CHILD CARE FACILITIES.

Note: All sections are new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter V, of the San Francisco Municipal Code (Health Code) is hereby amended by adding Article 19C, encompassing sections 1008 through 1008.8, to read as follows:

ARTICLE 19C

REGULATING SMOKING IN PUBLIC PLACES AND IN HEALTH, EDUCATIONAL AND CHILD CARE FACILITIES

SEC. 1008	FINDINGS
SEC. 1008.1	DEFINITIONS
SEC. 1008.2	REGULATION OF SMOKING IN PUBLIC PLACES AND DESIGNATED FACILITIES
SEC. 1008.3	REGULATION OF SMOKING IN PLACES OF ENTERTAINMENT, SPORTS ARENAS, CONVENTION FACILITIES, AND HOTEL LOBBIES
SEC. 1008.4	APPLICATION AND EXCEPTIONS
SEC. 1008.5	POSTING OF SIGNS
SEC. 1008.6	UNLAWFUL TO PERMIT SMOKING IN OR TO SMOKE IN PROHIBITED AREAS
SEC. 1008.7	PENALTIES AND ENFORCEMENT
SEC. 1008.8	SEVERABILITY

SEC. 1008. FINDINGS. (a) The United States Surgeon General's 1986 Report on the Health Consequences of Involuntary Smoking reports the following:

(1) Involuntary smoking is a cause of disease, including lung cancer, in healthy nonsmokers.

(2) The children of parents who smoke compared with the children of nonsmoking parents have an increased frequency of respiratory infections, increased respiratory symptoms, and slightly smaller rates of increase in lung function as the lung matures.

(3) The simple separation of smokers and nonsmokers within the same air space may reduce, but does not eliminate, the exposure of nonsmokers to environmental tobacco smoke.

(b) The Board of Supervisors finds and declares:

(1) Nonsmokers have no adequate means to protect themselves from the damage inflicted upon them when they involuntarily inhale tobacco smoke.

(2) Regulation of smoking in public places is necessary to protect the health, safety, welfare, comfort, and environment of nonsmokers.

(c) It is, therefore, the intent of the Board of Supervisors, in enacting this article, to protect the nonsmoker from environmental tobacco smoke and to eliminate smoking, as much as possible, in public places.

SEC. 1008.1. DEFINITIONS. Unless the term is specifically defined in this Article or the contrary stated or clearly appears from the context, the definitions set forth in Article 19,

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Section 1002, of this Code (the Smoking Pollution Control Ordinance), shall govern the interpretation of this article. The definitions set forth in this Article shall be construed so as to make the prohibition against smoking set forth herein broadly applicable.

(a) "Bar" means an area which is devoted to the serving of alcoholic beverages for consumption by patrons on the premises and in which the serving of food is only incidental to the consumption of such beverages.

(b) "Child care facility" means a facility in which a person, at the request and consent of a parent or legal guardian, provides care during a part of any 24-hour period for compensation, whether or not such person is licensed.

(c) "Educational facility" means any school or educational institution, whether commercial or nonprofit, operated for the purpose of providing academic classroom instruction, trade, craft, computer or other technical training, or instruction in dancing, artistic, musical or other cultural skills.

(d) "Enclosed" means closed in by a roof and four walls with appropriate openings for ingress and egress. It includes areas commonly described as public lobbies or lobbies when they are in an area that is enclosed as defined herein.

(e) "Motion picture theater" means any theater engaged in the business of exhibiting motion pictures.

(f) "Nonprofit establishment" means any office, store, or other place operated by any corporation, unincorporated association or other entity created for charitable, philanthropic, educational, character building, political, social or other similar purposes, the net proceeds from the operation of which are committed to the promotion of the objects or purposes

of the organization and not to private financial gain. A public agency is not a nonprofit entity.

(g) "Person" means a natural person or any legal entity, including but not limited to a corporation, firm, partnership or trust.

(h) "Public area" means any enclosed area of a building to which members of the general public have access. It shall include, by way of example only, lobbies of businesses open to the public; reception areas of businesses open to the public; department stores; one-room businesses where the room is open to the public; restrooms open to the public; stairways, hallways, escalators and elevators in buildings open to the public; and other enclosed areas open to the public as set forth herein.

(i) "Business establishment" means any business, store, office or other place where goods or services are sold or provided as part of a commercial venture. It includes but is not limited to the following: (1) automobile dealerships, furniture or other showrooms for the display of merchandise offered for sale; (2) grocery, pharmacy, specialty, department and other stores which sell goods or merchandise; (3) service stations, stores or shops for the repair or maintenance of appliances, shoes, motor vehicles or other items or products; (4) barbershops, beauty shops, cleaners, laundromats and other establishments offering services to the general public; (5) video arcade, poolhall, and other amusement centers; (6) offices providing professional services such as legal, medical, dental, engineering, and architectural services; (7) banks, savings and loan offices, and other financial establishments; (8) hotels and motels, and other places that provide accommodations to the public.

(j) "Retail tobacco store" shall mean a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental.

(k) "Sports arena" means sports stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and similar places where the public assembles either to engage in physical exercise, participate in athletic competition or witness sports events.

SEC. 1008.2. <u>REGULATION OF SMOKING IN PUBLIC PLACES AND DESIGNATED FACILITIES</u>. Smoking shall be prohibited in those enclosed areas of the following places during those times when the general public has access to them; notwithstanding any other provision of this Article, smoking is permitted in the public areas of the following places without violating this Article if one or more designated smoking areas are established which are physically separated by walls or partitions so that smoke does not permeate into areas where smoking is prohibited and so long as such designated smoking areas do not exceed in aggregate size the area or areas devoted to non-smoking which are for the general public.

(a) Public areas of every building or portion thereof on property owned or leased by the City and County of San Francisco; within 90 days after the effective date of this ordinance, every commission, department or agency with jurisdiction over such property shall adopt regulations or policies implementing the provisions of this Article;

(b) Public areas of hearing rooms, courtrooms, or places of public assembly located in buildings in which the business of any

governmental body or agency is conducted;

(c) Polling places;

(d) (1) Public areas of health facilities, including but not limited to hospitals, long term care facilities, clinics, physical therapy facilities, and doctors' and dentists' offices, which public areas shall include waiting rooms and lobbies;

(2) The following private areas of hospitals, long term care facilities, clinics, physical therapy facilities, doctors' and dentists' offices, and other health facilities, even though the general public may not have access to such areas: wards, inpatient rooms, and outpatient examination and treatment rooms;

(3) Health Facility Exemptions. Notwithstanding any other provision of this Article, smoking is permitted in (i) wards and inpatient rooms if all patients currently in the ward or room request in writing to be placed in a room where smoking is permitted; and (ii) in designated areas in waiting rooms and lobbies of health facilities which may be established and which are physically separated by walls or partitions so that smoke does not permeate into areas where smoking is prohibited so long as such designated smoking areas do not exceed in aggregate size the areas in the lobbies and waiting rooms which are for the general public and designated as non-smoking; and (iii) in publicly owned long term care facilities, provided that such facilities shall adopt within 90 days of the effective date of this ordinance a written plan designed to meet the needs of patients, family and staff for a smoke-free environment.

(e) Public areas in educational facilities;

(f) Classrooms, meeting or conference rooms, and lecture halls in educational facilities; this prohibition is intended to apply even when such areas are open only to persons enrolled or otherwise formally authorized to attend.

(g) Public areas in business establishments and nonprofit establishments; provided, however, that not included are any establishments which employ three or fewer employees;

(h) Public areas of privately owned aquariums, galleries, libraries and museums when open to the public;

(i) Enclosed areas in child care facilities when children are present; provided, however, that not included are child care facilities which employ three or fewer employees. This prohibition is intended to apply even when such areas are open only to those being cared for in such facilities.

Notwithstanding any other provision of this Article, any owner, operator, manager, or other person who controls any establishment or facility described in this Article may declare the entire establishment or facility as non-smoking.

SEC. 1008.3 REGULATION OF SMOKING IN PLACES OF ENTERTAINMENT, SPORTS ARENAS, CONVENTION FACILITIES, AND HOTEL LOBBIES. The owner of the following premises, or the person who has the right to possession and management of the premises, shall designate smoking and non-smoking areas in enclosed areas of the following places and shall enforce the smoking prohibition in the non-smoking areas during those times when the general public has access to the premises. The owner or person with the right to possession and management shall post the signs required by Section 1008.5. An enclosed area may be divided into smoking and non-smoking areas without a physical separation between them.

The posted signs shall clearly designate where the demarcation is between the smoking and non-smoking areas. Designated smoking areas shall not exceed in aggregate size the areas which are for the general public and which must be devoted to non-smoking.

(a) Public areas of any building primarily used for exhibiting motion pictures, drama, dance, musical performance or other entertainment, and within any room, hall or auditorium that is occasionally used for exhibiting motion pictures, drama, dance, musical performance, lecture or other entertainment during the time that said room, hall or auditorium is open to the public for such exhibition; provided, however, that smoking is permitted on a stage when such smoking is part of a stage production;

(b) Public areas of buildings containing sports arenas.

(c) Public areas of convention facilities;

(d) Hotel lobbies.

SEC. 1008.4. APPLICATION AND EXCEPTIONS. (a) The following shall not be subject to this article:

(1) "Eating establishments" regulated by Article 19A of this Code;

(2) Bars; provided, however, that not excluded from the requirements of this Article are areas commonly known as lobbies located in hotels, convention centers, theaters, and similar establishments;

(3) Rooms rented to guests in hotels, motels and similar establishments where not designated by the proprietor of said facilities as non-smoking;

(4) Retail tobacco stores.

(5) Discotheques, dance halls, or other establishments which are primarily devoted to entertaining people by providing

music and dancing.

(b) Article 19 of this Code regulates smoking in the office workplace. In those times and places where the provisions of this Article apply, they shall govern. In all other instances, the provisions of Article 19 shall apply. Notwithstanding any other provision of this Article, no employee shall be entitled to smoke in an office workplace unless the provisions of Article 19 are complied with.

SEC. 1008.5. POSTING OF SIGNS.

(a) "No Smoking" signs with letters of not less than one inch in height or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be conspicuously posted in every enclosed area where smoking is prohibited by this Article by the owner of such building or, if a different person has the right to possession and management of the property, by the person with such right.

(b) The owner and the manager or operator of every theater and auditorium shall be responsible for conspicuously posting signs in the lobby stating that smoking is prohibited within the theater or auditorium and the lobby, and in the case of motion picture theaters, such information shall be shown upon the screen for at least five (5) seconds prior to the showing of each feature motion picture.

(c) "Smoking" signs may be posted where permitted by this Article.

SEC. 1008.6. UNLAWFUL TO PERMIT SMOKING IN OR TO SMOKE IN PROHIBITED AREAS. (a) It shall be unlawful for the owner of any

property or establishment subject to this Article, or, if a different person has the right to possession and management of such property or establishment, for that person, to fail to post or to maintain the signs required by this Article or to permit any person to smoke in any area where smoking is prohibited by this Article. The person responsible for enforcing the prohibition against smoking in designated areas shall be deemed to have complied with these Sections if he or she posts the signs required by this Article and, upon notice of a violation, promptly makes a good faith effort to notify the violator that smoking is illegal and requests the violator not to smoke, either personally or through a designee.

(b) It is shall be unlawful for any person to smoke in an area where signs have been posted indicating that smoking is prohibited or to smoke in an area where this Article prohibits smoking.

SEC. 1008.7. PENALTIES AND ENFORCEMENT. (a) The Director of Health (hereinafter "Director") may enforce the provisions of this Article against violations by serving notice requiring the correction of any violation within a reasonable time specified by the Director. Upon the violator's failure to comply with the notice within the time period specified, (1) the Director may request the City Attorney to maintain an action for injunction to enforce the provisions of this Article and for assessment and recovery of a civil penalty for such violation and (2) the owner of the premises or the person with the right to possession and management of the property may maintain an action for injunctive relief to enforce the provisions of this Article and an action for damages. Damages may be awarded up to $500 a day for each

day that the violation occurs or is permitted to continue. It is necessary to specify the amount of such damages because of the extreme difficulty that the owner or other authorized person would have in establishing injury based on lost business, lost productivity due to health injuries caused by tobacco smoke, and other costs arising because of the health problems created by smoking.

(b) Any person that violates or refuses to comply with the provisions of this Article shall be liable for a civil penalty, not to exceed $500.00 for each day such violation is committed or permitted to continue, which penalty shall be assessed and recovered in a civil action brought in the name of the people of the City and County of San Francisco, by the City Attorney, in any court of competent jurisdiction. Any penalty assessed and recovered in a civil action brought pursuant to this Section shall be paid to the Treasurer of the City and County of San Francisco.

(c) Any person who violates or refuses to comply with the provisions of this Article shall be guilty of an infraction, and shall be deemed guilty of a separate offense for every day such violation or refusal shall continue. Every violation is punishable by (1) a fine not exceeding one hundred dollars ($100) for a first violation; (2) a fine not exceeding two hundred dollars ($200) for a second violation within one year; (3) a fine not exceeding five hundred dollars ($500) for each additional violation within one year.

(d) In undertaking the enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach

of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SEC. 1008.8 SEVERABILITY. If any provision of this Article, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Article, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this article are severble.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Paula Jesson
Deputy City Attorney

3627P

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
June 20, 1988	June 27, 1988
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver
Absent: Supervisors Maher Ward	Absent: Supervisors Britt Walker Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 118-87-1.7

JUN 30 1988

Date Approved

Mayor

5458 4

Utica/Omaha, NE
Houchen
Bindery Ltd
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